



Order under Section 135 Residential Tenancies Act, 2006

File Number: LTB-T-107445-25

In the matter of: 207, 128 Fairview Mall Dr
North York ON M2J0E8

Between: Yue Xiong Tenant

And

Haifeng Chen Landlords
Ying Pei

Yue Xiong (the 'Tenant') applied for an order determining that Haifeng Chen and Ying Pei (the 'Landlords') collected or retained money illegally.

This application was heard by videoconference on April 15, 2026.

Only the Tenant attended the hearing. As of 9:44 a.m., the Landlords were not present or represented at the hearing although properly served with notice of this hearing by the LTB. There was no record of a request to adjourn the hearing. As a result, the hearing proceeded with only the Tenant's evidence.

Determinations:

1. As explained below, the Tenant proved the allegations contained in the application on a balance of probabilities. Therefore, the Landlords must pay the Tenants the amount of \$298.00.
2. The Tenant filed a T1 application on December 21, 2025, alleging that the Landlords had failed to return a \$250.00 key deposit to him upon the termination of his tenancy.
3. The Tenant provided into evidence a signed copy of a lease, dated November 8, 2024, for the rental unit that required, at Schedule A, the payment of a refundable key deposit of \$250.00.
4. The Tenant testified that he vacated the unit on November 30, 2025 and returned the keys at that time.
5. The Tenant further testified that he emailed the Landlords on December 8, 2025 and requested reimbursement of the key deposit.

6. The Tenant indicated that he was told by the Landlords that they were holding back the key deposit as a result of the requirement for them to deep-clean the rental unit after the Tenant vacated it.

7. Section 134 of the *Residential Tenancies Act, 2006* (the 'Act') provides:

Unless otherwise prescribed, no landlord shall, directly or indirectly, with respect to any rental unit,

(a) collect or require or attempt to collect or require from a tenant, prospective tenant or former tenant of the rental unit a fee, premium, commission, bonus, penalty, key deposit or other like amount of money whether or not the money is refundable.

8. Paragraph 3 of s.17 of O.Reg. 516/05 under the Act provides that the following payments are exempt from subsections 134 (1) and (3) of the Act:

3. Payment of a refundable key, remote entry device or card deposit, not greater than the expected direct replacement costs.

[emphasis added]

9. It was undisputed that the Tenant paid the Landlords a key deposit in the amount of \$250.00. It was also undisputed that the keys were returned to the Landlords on November 30, 2025, and the Landlords did not return the key deposit.

10. Based on the uncontested evidence before me, I find that the Landlords received the keys to the unit on or about November 30, 2025, and the Landlords did not return the \$250.00 key deposit to the Tenant. The Act does not permit a landlord to apply a refundable key deposit to cleaning costs.

11. As such, I find that the Landlords illegally retained this amount, and the Landlords shall pay the Tenant the amount of \$250.00 for the key deposit. An order will issue accordingly.

12. The Tenant incurred costs of \$48.00 for filing the application and is entitled to an order for those costs.

It is ordered that:

1. The total amount the Landlords shall pay the Tenant is \$298.00. This amount represents:

- \$250.00 for the key deposit.
- \$48.00 for the cost of filing the application.

2. The Landlords shall pay the Tenant the full amount owing by May 3, 2026.

3. If the Landlords do not pay the Tenant the full amount owing by May 3, 2026, the Landlords will owe interest. This will be simple interest calculated from May 4, 2026 at 4.00% annually on the balance outstanding.

4. The Tenant has the right, at any time, to collect the full amount owing or any balance outstanding under this order.

April 22, 2026
Date Issued

Curtis Smith
Member, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor
Toronto ON M7A 2G6

If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.