



Order under Section 135 Residential Tenancies Act, 2006

Citation: Maliqi v Management Inc, 2026 ONLTB 33407

Date: 2026-04-28

File Number: LTB-T-104053-25

In the matter of: 100 Roehampton
Toronto ON M4P1R3

Between: Adrian Maliqi Tenant

And

Park Property Management Inc Landlord

Adrian Maliqi (the 'Tenant') applied for an order determining that Park Property Management Inc (the 'Landlord') collected or retained money illegally.

This application was heard by videoconference on April 7, 2026.

The Landlord's Legal Representative, Olga Leyenson, and the Tenant attended the hearing.

Determinations:

1. The application alleges that the Landlord did not use the Tenant's last month's rent deposit to pay for the last month of the rental period, contrary to s. 106(10) of the *Residential Tenancies Act, 2006* ('Act'), and did not return the deposit to them.
2. The Landlord's Legal Representative raised the issue that the matter of the Tenant's last month's rent deposit was already determined in a prior Board decision issued on August 29, 2025, regarding the Landlord's L1 application to terminate the tenancy and evict the Tenant for rent arrears (LTB-L-026809-25). The Tenant did not file a review of that decision. It would therefore be an abuse of process to consider the Tenant's application for a matter that has already been decided. The Tenant maintained that the amount of arrears from that order was incorrect, and his last month's rent deposit was not correctly applied.
3. Paragraph 5 of the L1 order sets out the arrears owing in the event the Tenant does not void the order. The arrears calculation specifically deducts the Tenant's last month's rent deposit and any interest owing on the deposit. Details of the calculation are also provided in Table C of Schedule 1 of the order. The Tenant confirmed at the hearing that he did not void the order and vacated the unit.

4. Though the parties disagree on when the Tenant vacated the unit, that issue is irrelevant as the Tenant did not void the order, and therefore the calculation in paragraph 5 of the L1 order incorporating the last month's rent deposit applies. The Tenant has already been credited the amount of the deposit and is responsible for any daily compensation owing after the date of the L1 hearing on July 15, 2025.
5. As the deposit has already been credited to the Tenant in the L1 order and the matter has already been determined, the Tenant's application must therefore be dismissed.

It is ordered that:

1. The application is dismissed

April 28, 2026

Date Issued

Fotoula Hatzantonis

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.