



Order under Section 135 Residential Tenancies Act, 2006

File Number: LTB-T-108454-25

In the matter of: 271 LARCH ST
WATERLOO ON N2L 0H4

Between: Gurkirat Panesar Tenant

And

Robin Sandhu Landlord

Gurkirat Panesar (the 'Tenant') applied for an order determining that Robin Sandhu (the 'Landlord') collected or retained money illegally.

This application was heard by videoconference on April 27, 2026.

Only the Tenant attended the hearing.

As of 9:48am, the Landlord was 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 Landlord must pay to the Tenant \$298.00 for the illegal retention of the key deposit.
2. It was undisputed that on August 26, 2024, the Tenant paid the Landlord a key deposit in the amount of \$250.00. It was also undisputed the keys were returned by hand to the Landlord on or about August 31, 2025 and the Landlord did not return the key deposit.
3. Section 134(1)(a) of the *Residential Tenancies Act, 2006* (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.

4. Section 17 of O.Reg. 516/06 under the Act provides that certain payments are exempt from subsections 134 (1) of the Act, including "Payment of a refundable key, remote entry device or card deposit, not greater than the expected direct replacement costs."
5. Based on the uncontested evidence before me, I find that the Landlord received the keys to the unit on or about August 31, 2025, and the Landlord did not return the \$250.00 key deposit to the Tenants. As such, I find that the Landlord illegally retained this amount, and the Landlord shall pay the Tenants the amount of \$250.00 for the key deposit.
6. The Tenant incurred costs of \$48.00 for filing the application and is entitled to an order for those costs.
7. This order contains all of the reasons within it and no further reasons will be issued.

It is ordered that:

1. The total amount the Landlord shall pay the Tenant is \$298.00. This amount represents:
 - \$250.00 for the illegal charge collected.
 - \$48.00 for the cost of filing the application.
2. The Landlord shall pay the Tenant the full amount owing by May 16, 2026.
3. If the Landlord does not pay the Tenant the full amount owing by May 16, 2026, the Landlord will owe interest. This will be simple interest calculated from May 17, 2026 at 4.00% annually on the balance outstanding.

May 5, 2026
Date Issued

Angela 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.