



Order under Section 135 Residential Tenancies Act, 2006

Citation: Morris v Thiruchelvam, 2026 ONLTB 35490

Date: 2026-05-04

File Number: LTB-T-109602-25

In the matter of: 96 ZINNIA PL
WOODBIDGE ON L4L6G7

Between: Shanassa Morris Tenant

And

Danila Thiruchelvam Landlord

Shanassa Morris (the 'Tenant') applied for an order determining that Danila Thiruchelvam (the 'Landlord') collected or retained money illegally.

This application was heard by videoconference on April 29, 2026.

The Landlord and the Tenant attended the hearing.

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 \$2,048.00

Illegal rent collected

2. On April 25, 2025 when entering into a tenancy agreement between the Tenant and the Landlord the Tenant paid to the Landlord \$6,000.00, consisting of \$4,000.00 for first and last month's rent and \$2,000.00 for a security deposit.
3. The Landlord does not dispute that a \$2,000.00 security deposit was collected, but states it was collected at the request of the Tenant's partner who indicated that they owned a large dog and the money could be used towards any potential future damages to the rental unit caused by the dog.
4. The Tenancy with respect to this rental unit ended on November 17, 2025. As of the date of the hearing the security deposit is still being held by the Landlord.

5. Section 105(1) of the Act states:

105(1) The only security deposit that a landlord may collect is a rent deposit collected in accordance with section 106.

6. Sections 106(1) and 106(2) of the Act state:

106 (1) A landlord may require a tenant to pay a rent deposit with respect to a tenancy if the landlord does so on or before entering into the tenancy agreement.

(2) The amount of a rent deposit shall not be more than the lesser of the amount of rent for one rent period and the amount of rent for one month.

7. The amount of \$2,000.00 collected as a security deposit in addition to \$2,000.00 collected for a last month's rent deposit exceeds the amount that can be collected pursuant to section 106(2) of the Act. As such I am satisfied that the Landlord collected and has retained an illegal charge.

8. The Tenant is entitled to the return of the illegal charge collected by the Landlord in the amount of \$2,000.00.

It is ordered that:

1. The total amount the Landlord shall pay the Tenant is \$2,048.00. This amount represents:
 - \$2,000.00 for excess rent collected.
 - \$48.00 for the cost of filing the application.
2. The Landlord shall pay the Tenant the full amount owing by May 15, 2026.
3. If the Landlord does not pay the Tenant the full amount owing by May 15, 2026, the Landlord will owe interest. This will be simple interest calculated from May 16, 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.

May 4, 2026
Date Issued

Sean Ramage
Member, Landlord and Tenant Board

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