



Order under Section 135 Residential Tenancies Act, 2006

Citation: Behnia v Chan, 2026 ONLTB 34430

Date: 2026-05-14

File Number: LTB-T-078389-25

In the matter of: UNIT 1410, 99 Broadway Ave
Toronto ON M4P0E3

Between: Damon Behnia Tenant
Alma Jafarzadeh Marandi

And

Ting Kin Chan Landlord
Yu-Lan Lo

Damon Behnia and Alma Jafarzadeh Marandi (the 'Tenant') applied for an order determining that Ting Kin Chan and Yu-Lan Lo (the 'Landlord') collected or retained money illegally.

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

The Tenants and the Landlord, Ting Kin Chan, attended the hearing.

Determinations:

1. As explained below, the Tenants did not prove the allegations contained in the application on a balance of probabilities. Therefore, the application is dismissed.
2. The Landlord did not collect a charge which is not allowed by the *Residential Tenancies Act, 2006* (the 'Act'). The Landlords collected a charge for internet services which services were provided to the Tenants.
3. The Tenants moved into the rental unit on June 15, 2024, and remain in possession of the rental unit.
4. The lease agreement indicates that the monthly rent is \$2,950.00 and did not include cable, internet or telephone services.
5. The Tenants, after consulting with their real estate agent, agreed to pay the Landlords \$30.00 per month for internet services. This fee was paid for 11 months.

6. The Landlords paid for and provided the Tenants with the internet service as agreed upon by the parties. The Tenants had internet that was specifically only for their unit as provided by the Landlords.
7. The Tenants, after speaking with other occupants of the building, were made aware that the building offers its own internet service at no additional cost. The Landlords were unaware of the building internet service and instead paid for a separate internet service for the Tenants. The internet service provided to the Tenants was separate and distinct from the internet service provided by the building. The Landlords did not merely collect the charge and rely on the building's internet service.
8. The collection of the internet charge of \$30.00 per month is not an illegal charge. It was an agreed to service which the Landlords provided.
9. I understand, that in retrospect, the Tenants feel the dedicated internet service provided by the Landlords may have been an unnecessary expense given that the building offered internet services, but that does not make it an illegal charge. The payment for the Landlord to provide internet services to the Tenants, allowing them to have their own dedicated internet package, is not an illegal charge.

It is ordered that:

The Tenants' application is dismissed.

May 14, 2026
Date Issued

Jeanie Theoharis
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.