



Order under Section 135 Residential Tenancies Act, 2006

Citation: Oloumi Dodaraan v Top of the Valley Apartments, 2026 ONLTB 36891

Date: 2026-05-20

File Number: LTB-T-001472-26

In the matter of: 405, 44 VALLEY WOODS RD
NORTH YORK ON M3A2R6

Between: Nahid Oloumi Dodaraan Tenants
Milad Salehi

And

Top of the Valley Apartments Landlord

Nahid Oloumi Dodaraan and Milad Salehi (the 'Tenants') applied for an order determining that Top of the Valley Apartments (the 'Landlord') collected or retained money illegally.

This application was heard by videoconference on May 5, 2026.

Only the Tenant Nahid Oloumi Dodaraan attended the hearing.

As of 9:16 am, 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 Tenants' evidence.

Determinations:

1. Based on the uncontested evidence before me, I am satisfied that the Tenants paid the Landlord a deposit for the last month's rent (LMR) in the amount of \$2,130 prior to moving into the rental unit on July 1, 2024. I am also satisfied that the Tenants paid the lawful monthly rent of \$2,130 for the final month of the tenancy in August 2025.
2. I further accept their uncontested evidence that the Landlord also collected a \$100 key deposit that has not been refunded. The Tenants returned two keys and two key fobs to the Landlord on September 3, 2025.
3. The Landlord did not use the LMR to pay for the last rental period of the tenancy and did not return the deposit to the Tenants. This is prohibited by the *Residential Tenancies Act, 2006* (the 'Act'). Section 106(10) of the Act requires a landlord to apply a rent deposit to rent owing for the final rental period before the tenancy terminates. In this case, as the

Tenants paid the August 2025 rent, the Landlord is obligated to return the last month's rent deposit.

4. The Act allows for a *refundable* key deposit. The Landlord did not refund the deposit despite the Tenants having returned the keys to the Landlord. As a result, the Landlord will be ordered to return the \$100 key deposit.

It is ordered that:

1. The total amount the Landlord shall pay the Tenants is \$2,278.00. This amount represents:
 - \$2,130.00 for the last month's rent deposit.
 - \$100.00 for the refund of the key deposit.
 - \$48.00 for the cost of filing the application.
2. The Landlord shall pay the Tenants the full amount owing by May 31, 2026.
3. If the Landlord does not pay the Tenants the full amount owing by May 31, 2026, the Landlord will owe interest. This will be simple interest calculated from June 1, 2026, at 4.00% annually on the balance outstanding.
4. The Tenants have the right, at any time, to collect the full amount owing or any balance outstanding under this order.

May 20, 2026
Date Issued

Heather Woodside
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.

