



Order under Section 135 Residential Tenancies Act, 2006

File Number: LTB-T-094235-25

In the matter of: 1003, 80 WESTERN BATTERY RD
TORONTO ON M6K3S1

Between: Alden Torres
Riley Locke
Eric Sanderson
Tenants

And

Francesco Palmieri
Landlord

Alden Torres, Riley Locke and Eric Sanderson (the 'Tenants') applied for an order determining that Francesco Palmieri (the 'Landlord') collected or retained money illegally.

This application was heard by videoconference on April 22, 2026.

The Tenants, Alden Torres, Riley Locke, Eric Sanderson and the Landlord, Francesco Palmieri attended the hearing.

Determinations:

1. As explained below, the Tenants proved the allegations contained in the application on a balance of probabilities.
2. The Tenant testified that they moved into the rental unit on July 1, 2023 and vacated on October 31, 2025. It was a joint tenancy that commenced as a fixed year tenancy and then turned month-to-month. The monthly rent was \$2,800.00.
3. The Tenant testified that they paid a key deposit to the Landlord on July 1, 2023 in the amount of \$250.00. The Tenant testified that the keys and fobs associated were all returned to the Landlord, however the Landlord is still in possession of the key deposit.
4. The Tenant states that the Landlord has not paid interest on the last month's rent deposit, that was collected on July 1, 2023. Interest is therefore owing from July 1, 2023 to October 31, 2025, which was when the Tenants vacated from the rental unit.
5. The Landlord agrees that he is in possession of the key deposit in the amount of \$250.00 and he did not pay the interest owing on the last month's rent deposit. The Landlord states

that reason he is withholding these amounts is because there was extensive damage in the rental unit when the Tenants vacated.

Legal Analysis

7. Section 135 of the *Residential Tenancies Act, 2006* ('the Act') permits a tenant to file an application against a landlord if money is being illegally collected or retained by the Landlord.
8. Pursuant to the Act, Section 134 states:

134.(1) 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 or prospective 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;
9. Although the Regulations prescribe that a key deposit is permitted, it must be refundable and refunded at the end of the tenancy.
10. Based on the evidence before me, I am satisfied on a balance of probabilities that the Landlord has collected a \$250.00 key deposit from the Tenants, that has not been returned. The Landlord will be ordered to refund this amount to the Tenants.
11. Subsection 106(6) of the *Residential Tenancies Act, 2006* (the 'Act') requires that a landlord pay interest to the tenant annually on the amount of the rent deposit at a rate equal to the rent increase guideline.
12. Therefore, I find interest on the last month's rent deposit is payable to the Tenants for the period of July 1, 2023, to October 31, 2025, in the amount of \$163.80.

It is ordered that:

1. The total amount the Landlord shall pay the Tenants is \$461.80. This amount represents:
 - \$250.00 for the illegal charge collected.
 - \$163.80 for interest on the last month's rent deposit.
 - \$48.00 for the cost of filing the application.
2. The Landlord shall pay the Tenants the full amount owing by June 20, 2026.
3. If the Landlord does not pay the Tenants the full amount owing by June 20, 2026, the Landlord will owe interest. This will be simple interest calculated from June 21, 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

Nathalia Debski
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.