



Order under Section 135 Residential Tenancies Act, 2006

File Number: LTB-T-016444-26

In the matter of: 3, 1188 Gladstone Ave 3
Ottawa ON K1Y3H8

Between: Matthew Stewart Tenant

And

Nadia Della Valle Landlord

Matthew Stewart (the 'Tenant') applied for an order determining that Nadia Della Valle (the 'Landlord') collected or retained money illegally.

This application was heard by videoconference on June 2, 2026.

The Landlord Nadia Della Valle and the Tenant Matthew Stewart attended the hearing.

Determinations:

1. As explained below, the Tenant Matthew Stewart proved the allegations contained in the application on a balance of probabilities. Therefore, the Landlord must reimburse the Tenant \$393.90 for illegal charges for a water heater tank rental that was included in the monthly rent and had accumulated in his name for a period of time.
2. The Landlord collected a charge which is not allowed by the *Residential Tenancies Act, 2006* (the 'Act'). The lease agreement (Exhibit 1) clearly indicated in a box that was checked "yes" that the water heater tank charges were the responsibility of the Landlord. In the hearing, the Landlord relied on a copy of the lease which validated the water tank rental was "included" in the rent. The Landlord stated she had made an error and agreed.
3. The Tenant discovered the outstanding charges noted by the water heater rental supplier when he applied for a mortgage and it appeared on his credit rating. He paid the outstanding amount to clear his credit rating for the purpose of moving ahead with his mortgage application and later filed this application with the LTB to recover the illegal charges.

It is ordered that:

1. The total amount the Landlord shall pay the Tenant is \$421.90. This amount represents:

- \$373.90 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 June 20, 2026.
 3. If the Landlord does not pay the Tenant 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 Tenant has the right, at any time, to collect the full amount owing or any balance outstanding under this order.

June 9, 2026
Date Issued

Darlene Cook
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.