



**Order under Section 135
Residential Tenancies Act, 2006**

File Number: LTB-T-039130-26

In the matter of: 2195 KING RD
KING CITY ON L7B1G3

Between: Robert Law Tenants
Alessia Macri

And

Daniel Fazzari Landlords
Renato Stalteri

Robert Law and Alessia Macri (the 'Tenants') applied for an order determining that Daniel Fazzari and Renato Stalteri (the 'Landlords') collected or retained money illegally.

This application was heard by videoconference on June 4, 2026.

Only the Tenants attended the hearing.

As of 9:55 AM, the Landlords were 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. As explained below, the Tenants proved the allegations contained in the application on a balance of probabilities. Therefore, the Landlords must reimburse the Tenants for their filing fee of \$48.00 by June 23, 2026.
2. The Tenants alleged that the Landlord withheld the return of their refundable key deposit and interest on the last month's rent deposit pending receipt of a quote for cleaning the rental unit after they vacated.
3. The Tenants testified that they repeatedly advised the Landlords that it was not lawful to withhold the key deposit or interest on the rent deposit. Despite this, the Landlords refused to return these amounts until after the Tenants filed their application.
4. The Tenants submitted that they are entitled to reimbursement of the filing fee because they would not have incurred this cost had the Landlords complied with the Act.

Applicable law

5. Section 134(1) of the Residential Tenancies Act, 2006 (the “Act”) prohibits illegal charges, subject to exemptions set out in section 17 of O. Reg. 516/06. Section 17 permits a landlord to collect a **refundable** key, remote entry device, or card deposit, provided it does not exceed the direct replacement cost.
6. A landlord’s obligation to pay annual interest on a rent deposit is set out in section 106(6) of the Act.

Analysis

7. I find that the Landlords withheld the Tenants’ key deposit and the interest owing on the rent deposit pending receipt of a cleaning quote. There is no basis under the Act for withholding these amounts for this reason.
8. I further find that the Landlords returned the key deposit and paid the interest owing only after the Tenants filed their application with the Board. Although the Landlords are no longer in contravention of the Act, the Tenants were required to bring an application to secure compliance.
9. The Board may order reimbursement of an application filing fee where a tenant is required to bring an application to enforce their rights under the Act. In these circumstances, I find that the Tenants would not have incurred the filing fee but for the Landlords’ conduct
10. Accordingly, the Tenants are entitled to reimbursement of the \$48.00 filing fee, and an order will issue requiring the Landlords to pay this amount

It is ordered that:

1. The Landlords shall pay the Tenants \$48.00 for the cost of filing the application by June 23, 2026.
2. If the Landlords do not pay the Tenants the full amount owing by June 23, 2026, the Landlords will owe interest. This will be simple interest calculated from June 24, 2026 at 4.00% annually on the balance outstanding.
3. The Tenants have the right, at any time, to collect the full amount owing or any balance outstanding under this order.

June 12, 2026
Date Issued

Melissa Anjema
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.