



Order under Section 135 Residential Tenancies Act, 2006

Citation: Morenzie v Young, 2026 ONLTB 45754

Date: 2026-06-15

File Number: LTB-T-004952-26

In the matter of: 72 WALDER AVENUE
NORTH YORK ON M4P2S2

Between: Monice Morenzie Tenants
Dwayne Persad

And

Laura Young Landlord

Monice Morenzie and Dwayne Persad (the 'Tenants') applied for an order determining that Laura Young (the 'Landlord') collected or retained money illegally.

This application was heard by videoconference on May 12, 2026.

The Landlord, The Landlord's Legal Representative and the Tenant Dwayne Persad 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 Tenants' alleged that the Landlord increased and collected rent in excess of the amount allowed by the *Residential Tenancies Act, 2006* (the 'Act').
3. The Act governs a landlord's ability to raise the rent. Section 116(4) provides that an increase that is made not in accordance with the Act is void.
4. It is not disputed between that parties that the Tenants received an email from the Landlord on December 3, 2024 indicating that rent would be increasing to \$6,662.50 retroactively from December 1, 2024.
5. The Landlord did not comply with section 116, and thus the increase in rent from \$6,500.00 to \$6,662.50 would otherwise be void. The Landlords did not provide the Tenant with at least 90 days written notice of the rent increases in a form approved by the Board.
6. However, section 135.1 of the Act states as follows:

7. An increase in rent that would otherwise be void under subsection 116(4) is deemed not to be void if the tenant has paid the increased rent in respect of each rental period for at least 12 consecutive months.
8. The Tenants paid \$6,662.50 each month from December, 2024 to January, 2026, which is a period more than 12 consecutive months. The Tenant did not bring an application within one year after the increase was first charged. As such, pursuant to section 135.1 \$6,662.50 was deemed the lawful rent.
9. Because there was no unlawful increase in rent, the Tenants have not established that the Landlord illegally collected or retained any money and the Tenants application must be dismissed.

It is ordered that:

1. The Tenants' application is dismissed.

June 15, 2026
Date Issued

Sean Ramage
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.