



Order under Section 135 Residential Tenancies Act, 2006

Citation: Berrichi v Alexander, 2026 ONLTB 45010

Date: 2026-06-19

File Number: LTB-T-105646-25

In the matter of: 1, 93 ARLINGTON AVE
OTTAWA ON K1R5S4

Between: Lina Berrichi
Hamza Bouzidi
Tenants

And

Laura Alexander
Landlord

Lina Berrichi and Hamza Bouzidi (the 'Tenants') applied for an order determining that Laura Alexander (the 'Landlord') collected or retained money illegally.

This application was heard by videoconference on June 3, 2026.

The Landlord and the Tenants attended the hearing.

Determinations:

1. As explained below, the Tenants proved the allegations contained in the application on a balance of probabilities. Therefore, the Landlord must pay to the Tenants \$528.00 which represent an illegal security deposit and the application filing fee.
2. The parties agree that the tenancy began in May 2025 and that the tenancy ended on November 1, 2025. The parties also agree that on or about May 4, 2025, the Landlord collected from the Tenants a security deposit in the amount of \$1,800.00. The Landlord testified she collected the security deposit for damages or if the Tenants did not pay the rent, she would use the security deposit for missed rent.
3. When the Tenants moved out, the Landlord gave back \$1,320.00 from that security deposit and retained \$480.00. The Landlord testified that she retained \$480.00 for a cleaning charge and damages.

Analysis

4. Section 105 of the *Residential Tenancies Act, 2006* (the 'Act') reads as follows:

1. The only security deposit that a landlord may collect is a rent deposit collected in accordance with section 106.
5. Section 134(1)(a) of the Act state:
 - (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, prospective tenant or former 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.
6. Section 17 of [Ontario Regulation 516/06](#) under the Act provides for the following exceptions to the prohibition of key deposit charges in s. 134:
 1. Payment for additional keys, remote entry devices or cards requested by the tenant, not greater than the direct costs.
 2. Payment for replacement keys, remote entry devices or cards, not greater than the direct replacement costs, unless the replacement keys, remote entry devices or cards are required because the landlord, on the landlord's initiative, changed the locks.
 3. Payment of a refundable key, remote entry device or card deposit, not greater than the expected direct replacement costs.
7. Based on the evidence before me, I find the Landlord illegally collected a security deposit from the Tenants in the amount of \$1,800.00 at the beginning of the tenancy, then illegally retained \$480.00 of that security deposit when the Tenants vacated on November 1, 2025. This is contrary to section 134 of the Act and does not fall within any of the exceptions contained in section 17 of the *Ontario Regulations 516/06*.
8. As such, the Landlord shall refund the Tenants the security deposit in the amount of \$480.00.
9. The Tenants incurred costs of \$48.00 for filing the application and is entitled to reimbursement of those costs.
10. This order contains all of the reasons for the decision within it. No further reasons shall be issued.

It is ordered that:

1. The total amount the Landlord shall pay the Tenants is \$528.00. This amount represents:
 - \$480.00 for the illegal charge collected.
 - \$48.00 for the cost of filing the application.
2. The Landlord shall pay the Tenants the full amount owing by June 30, 2026.

3. If the Landlord does not pay the Tenant the full amount owing by June 30, 2026, the Landlord will owe interest. This will be simple interest calculated from July 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.

June 19, 2026
Date Issued

Paula West Oreskovich
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.