



Order under Section 135 Residential Tenancies Act, 2006

File Number: LTB-T-028413-26

In the matter of: Suite A, 450 FRONTENAC ST
Kingston ON K7L3T4

Between: Daniel Yamasaki Tenant

And

Greg Bowman Landlord

Daniel Yamasaki (the 'Tenant') applied for an order determining that Greg Bowman (the 'Landlord') collected or retained money illegally.

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

Only the Tenant and his legal representative, Neda Sundar, a law student with Queen's Legal Aid, attended the hearing.

As of 9:32 a.m., the Landlord was 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 Tenant's evidence.

Determinations:

1. As explained below, the Tenant proved the allegations contained in the application on a balance of probabilities. Therefore, the Landlord must re-pay the Tenant the last month's payment of rent mistakenly made by the Tenant.
2. The Landlord collected a charge which is not allowed by the *Residential Tenancies Act, 2006* (the 'Act').
3. The Tenant entered into a fixed term tenancy with the Landlord with a duration of May 1, 2024 to April 30, 2025 with a number of roommates. The tenancy was properly terminated on notice by the tenants. The Tenant had paid first and last month's rent to the Landlord at the commencement of the tenancy.
4. The Tenant mistakenly paid to the Landlord his share of rent for the last month of the tenancy being April 2025 having forgotten that it had already been paid. When the Tenant realized his mistake he made many requests for repayment as did Queen's Legal Aid on the Tenant's behalf.

5. The Landlord has failed to return the extra month of rent mistakenly paid by the Tenant.

It is ordered that:

1. The total amount the Landlord shall pay the Tenant is \$1128.00. This amount represents:
 - \$1,080.00 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 July 11, 2026.
3. If the Landlord does not pay the Tenant the full amount owing by July 11, 2026, the Landlord will owe interest. This will be simple interest calculated from July 12, 2026 at 4.00% annually on the balance outstanding.

June 30, 2026

Date Issued

Christina Budweth

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.