



Order under Section 135 Residential Tenancies Act, 2006

File Number: LTB-T-064091-25

In the matter of: 427 WOODSPRING AVE
NEWMARKET ON L3X 3H5

Between: Yi Liu Tenant

and

Chunju Chen Landlords
David Dai

Yi Liu (the 'Tenant') applied for an order determining that Chunju Chen and David Dai (the 'Landlord') collected or retained money illegally.

This application was heard by videoconference on January 19, 2026.

The Tenant and the Landlord, David Dai, attended the hearing on behalf of all Landlords.

Determinations:

1. The Board does not have the authority to consider this application because the *Residential Tenancies Act, 2006* (the 'Act') does not apply to the rental unit occupied by the Tenant.
2. The Landlord, David Dai, testified that the Tenant rents a room in the house owned by the Landlords and that the Tenant shares a kitchen with the Landlords. The Tenant did not dispute this information.
3. Subsection 5(i) of the *Residential Tenancies Act, 2006* (the 'Act') says:
 5. This Act does not apply with respect to,
...
 - (i) living accommodation whose occupant or occupants are required to share a bathroom or kitchen facility with the owner, the owner's spouse, child or parent or the spouse's child or parent, and where the owner, spouse, child or parent lives in the building in which the living accommodation is located;
4. Given all of the above, I am satisfied that the tenancy agreement requires the Tenant to share a kitchen with the Landlords and that the Landlords live in the building where the

rental unit is located. The tenancy is therefore exempt from the Act. The Board has no jurisdiction to hear the Tenant's application and it must be dismissed.

It is ordered that:

1. The Act does not apply to the tenancy agreement between the Landlords and the Tenant.
2. The Tenant's application is dismissed.

February 4, 2026

Date Issued

Adeela Alvez

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.