



Order under Section 135 Residential Tenancies Act, 2006

File Number: LTB-T-091713-25

In the matter of: UNIT 1611, 155 BEECROFT RD
NORTH YORK ON M2N 5Z5

Between: Yuna Song Tenant

and

Jung Hae Koh Landlord

Yuna Song (the 'Tenant') applied for an order determining that Jung Hae Koh (the 'Landlord') collected or retained money illegally.

This application was heard by videoconference on April 9, 2026.

The Tenant, the Landlord, and the Landlord's representative, Ki Shin, attended the hearing.

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's representative indicated that the Tenant rented a room in the rental property owned by the Landlord and that the Tenant shared a kitchen with the Landlord. 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 Landlord. Although the tenancy terminated when the Tenant vacated the unit on October 14, 2024, the Tenant confirmed during the hearing that the

Landlord lived in the rental unit during her tenancy. Therefore the tenancy is 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 Tenant's application is dismissed.

April 14, 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.