



**Order under Section 135
Residential Tenancies Act, 2006**

File Number: LTB-T-085606-25

In the matter of: 652 Princess Street
Kingston ON K7L1E3

Between: Sonny Lee Tenant

And

David Worsley Landlord

Sonny Lee (the 'Tenant') applied for an order determining that David Worsley (the 'Landlord') collected or retained money illegally.

This application was heard by videoconference on May 11, 2026.

The Tenant and the Landlord's Legal Representative Lorrie McCullough attended the hearing.

Determinations:

1. As explained below, the Tenant did not prove the allegations contained in the application on a balance of probabilities. Therefore, the application is dismissed.
2. The Tenant selected Reason 4 on the application, claiming that he entered into a tenancy agreement with the Landlord, but the Landlord did not provide the Tenant with vacant possession of the rental unit.
3. However, at the hearing, the Tenant testified that he entered into the tenancy agreement on the representation that he would be provided with two months' free rent, which the Landlord failed to do. The Tenant confirmed that the Landlord allowed him to move in, and he vacated after a year.
4. Based on the Tenant's own evidence, I am satisfied that the Landlord collected a rent deposit and provided the Tenant with vacant possession of the rental unit. Therefore, the Landlord is not required to repay the rent deposit.

It is ordered that:

1. The Tenant's application is dismissed.

May 13, 2026
Date Issued

Kate Sinipostolova
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.