



Order under Section 135 Residential Tenancies Act, 2006

File Number: LTB-T-099898-25

In the matter of: 1103, 99 Foxbar Road
Toronto Ontario M4V2G5

Between: Zoe David-Delves Tenant

And

Yat Fai John Kok Landlord

Zoe David-Delves (the 'Tenant') applied for an order determining that Yat Fai John Kok (the 'Landlord') collected or retained money illegally.

This application was heard by videoconference on April 15, 2026.

The Landlord and the Tenant attended the hearing.

Determinations:

1. As explained below, the Tenant partially proved the allegations contained in the application on a balance of probabilities. Therefore, the Landlord must pay the Tenant's application fee incurred for this matter.
2. The Tenant claimed that she was illegally charged \$282.50 for a dishwasher repair bill and that the Landlord failed to reimburse her for her \$100.00 key deposit.
3. The Tenant was advised that the \$282.50 dishwasher repair bill that she paid does not constitute an "illegal charge" that can be pursued under a T1 application. She was advised to seek legal advice to determine what an appropriate application for this issue would be. As such, this allegation in the T1 application was dismissed.
4. There was no dispute that the Tenant paid a \$100.00 key deposit at the commencement of her tenancy to the Landlord and that the Tenant vacated the unit on September 1, 2025.
5. The Tenant requested reimbursement of the key deposit and was alleges that reimbursement was refused due to there being alleged damage to the oven in the rental unit.
6. The Tenant filed this application on November 7, 2025.

7. The Landlord provided proof of a reimbursement of this key deposit made on December 20, 2025.
8. Pursuant to paragraph 3 of s. 17 of Ontario Regulation 516/06 the only key deposit a landlord can collect is a refundable one. The Landlord's failure to return the key deposit after the Tenant vacated the rental unit was a contravention of the Act. He retained the deposit, was not entitled to do so and only reimbursed the key deposit after the Tenant filed this application.
9. The Tenant incurred costs of \$53.00 to file this application.

It is ordered that:

1. The Landlord shall pay the Tenant \$53.00 for the cost of filing the application.
2. The Landlord shall pay the Tenant the full amount owing by May 31, 2026.
3. If the Landlord does not pay the Tenant the full amount owing by May 31, 2026, the Landlord will owe interest. This will be simple interest calculated from June 1, 2026 at 4.00% annually on the balance outstanding.

May 21, 2026
Date Issued

Curtis Smith
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.