



Order under Section 135 Residential Tenancies Act, 2006

File Number: LTB-T-014184-26

In the matter of: 2407, 90 EASTDALE AVE
EAST YORK ON M4C5A2

Between: YEVHENIIA TSOPA Tenant

And

90 EASTDALE INC Landlord

YEVHENIIA TSOPA (the 'Tenant') applied for an order determining that 90 EASTDALE INC and 90 EASTDALE INC (the 'Landlord') collected or retained money illegally.

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

The Landlord's Legal Representative, Kevin Kok, and the Tenant attended the hearing.

Preliminary Issue:

1. The Landlord's Legal Representative raised a preliminary issue that the Tenant's T1 application was premature and disclosed no live cause of action. The application was filed on March 22, 2026. The tenancy was scheduled to begin on April 1, 2026. The Tenant alleged that the Landlord entered into a tenancy agreement with her but did not allow her to move into the rental unit and did not return the money paid as a deposit.
2. At the hearing, the Tenant confirmed that she moved into the rental unit on April 1, 2026, and that the tenancy agreement was executed. As a result, the factual basis for this part of the application no longer exists. The Tenant was not denied possession of the rental unit, and there is no live dispute requiring a remedy under this ground.
3. The Tenant's application was brought under sections 134, 135 and 160 of the *Residential Tenancies Act, 2006* (the 'Act'), on the basis that the Landlord illegally collected or retained money. However, the remedy claimed was connected to the allegation that the Tenant was not permitted to move into the rental unit. Since the Tenant did move into the unit on the agreed commencement date, I find that this issue is moot.
4. At the juncture when I provided my determination to find the issue is moot, the Tenant requested consent of the LTB to withdraw the T1 application. As there was no objection, this was consented to by me.

It is ordered that:

1. The application having been withdrawn, the LTB's file is closed.

June 16, 2026

Date Issued

Joy Xiao

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.