

CITATION: Tang v. Xpert Credit Control Solutions Inc., 2026 ONSC 3934
COURT FILE NOS: CV-21-00004196-0000
CV-19-00005127-0000
CV-19-00005126-0000
DATE: 2026-07-06

SUPERIOR COURT OF JUSTICE – ONTARIO

7755 Hurontario Street, Brampton ON L6W 4T6

RE: TANG, ALEXANDRA
2505006 ONTARIO CORPORATION
2510516 ONTARIO LTD., **plaintiff(s)**

AND:

XPERT CREDIT CONTROL SOLUTIONS INC.
JOSHI, SAM
MANGAL, SHAN
PYRAMID PROPERTIES MANAGEMENT & CONSTRUCTION INC.
2748236 ONTARIO INC.
DALLAS, SHAYNA
2697909 ONTARIO INC.
AJIT, BHALLA
SINGH, GURPAL, **defendant(s)**

BEFORE: Justice J. K. Trimble

COUNSEL: **OMOTAYO, J.** for the plaintiff(s):
2505006 ONTARIO CORPORATION and
2510516 ONTARIO LTD
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TANG, ALEXANDRA, self represented
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WATTS, J. for the defendant(s):
XPERT CREDIT CONTROL SOLUTIONS INC. and
JOSHI, SAM
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REMEDIOS, J. for the defendants(s):
MANGAL, SHAN PYRAMID PROPERTIES MANAGEMENT &
CONSTRUCTION INC. and

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CHHINA, S. for the defendant(s):
DALLAS, SHAYNA,
2697909 ONTARIO INC. and
SINGH, GURPAL
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HEARD: March 10, 2026, by Zoom

SUPPLEMENTARY REASONS FOR JUDGMENT

- [1] In para, 292(f) of my Amended Reasons for Judgment released 5 August 2025, I required further submissions from Ms. Tang/250/251, and Xpert, on the proper calculation of Xpert's damages taking into consideration the directions I provided in my Reasons for Judgment.
- [2] By para, 292(f), I intended that the parties would work with the existing evidence and my directions and engage in a purely mathematical exercise.
- [3] My Amended Reasons for Judgment were not sent to the parties until late December 2026. I provided a revised timetable for the submissions as to Xpert's damage. The submissions were made and received, and oral argument was received on 10 March.

Ms. Tang's Bankruptcy

- [4] On 4 February 2026, the Court received a Notice of Stay of Proceedings dated 29 January 2026, from James B. Walker & Co. Ltd., Trustee in Bankruptcy, informing the Court that Ms. Tang had made an assignment into Bankruptcy. I advised the Parties by E-Endorsement dated 5 February 2026 of this event. In response to this, by email of 5 February 2026 at 2:48 pm, Xpert requested that I grant an Order to Continue. Xpert repeated its request on 11 February at 12:21 pm.

- [5] By Endorsement of 19 February 2025, I advised the parties that the action was stayed against Ms. Tang until Xpert or others obtained an Order to Continue against her from the Bankruptcy Court. I advised that the Bankruptcy Court with jurisdiction was in Toronto, where Ms. Tang's bankruptcy file rested.
- [6] We revisited this issue on 10 March. Xpert's counsel advised that they were pursuing the Order to Continue in the Bankruptcy Court in Toronto. I advised that since the Stay did not affect 250 or 251, the submissions on damages on Xpert's damages could continue. It was agreed, however, that taking out the Judgment pursuant to my Amended Reasons for Judgment would await receiving the Order to Continue.
- [7] Recently, Xpert provided me with the 9 June 2026 Endorsement of Associate Justice Rappos, sitting as Registrar in Bankruptcy, granting Xpert's request for an order lifting the Stay of Proceedings against Ms. Tang so that Xpert could pursue its remedies against her since her condominium was pledged as security for the mortgage on which I had granted judgment. The Associate Judge granted the order, awarding \$7,500.00 in costs against Ms. Tang.
- [8] I have not yet been provided with any Order pursuant to Associate Justice Rappos' Endorsement, but his judgment was effective on its pronouncement.

Problems with Ms. Tang/250/251's Submissions

- [9] Ms. Tang embedded in her submissions an email from James Smythe dated 26 January 2026 at 6:48 pm setting out how Xpert's damages should be calculated. Ms. Tang advised that she sought his assistance in properly calculating Xpert's damages after the Amended Reasons for Judgment were released.
- [10] Based on that email, Ms. Tang/250/251 submitted that because portions of the 2018 Blanket Mortgage and 2018 Westmount Mortgage were rolled into the 2019 Blanket Mortgage, in order to properly calculate Xpert's damages one had to a) reverse from the rolled in Mortgages the illegal charges and inflated interest that

Xpert levied, and b) deduct the Westmount mortgage principal from the 2019 Blanket Mortgage to avoid double counting. Therefore, the amount of the 2019 Blanket Mortgage on which interest is calculated is \$799,456.32, not \$1.1 million as Xpert claims. Interest to the date of judgment would be an additional \$299,694.32.

Mr. Smythe's Email

[11] The contents of Mr. Smythe's email was properly before the Court. I did not accept it as evidence for several reasons including:

- a. No motion was brought to re-open the evidence.
- b. Mr. Smythe did not give evidence nor were his calculations contained in an Affidavit.
- c. Mr. Smythe did not explain his calculations nor was he cross examined.
- d. He never addressed these issues in his evidence at trial.

[12] Xpert agreed that I could receive Mr. Smythe's email as if it were authored by Ms. Tang as part of Ms. Tang/250/251s' submissions.

[13] I accepted Ms. Tang's submissions on the basis that Mr. Smythe's embedded email be considered merely as part of Ms. Tang's submissions on calculating Xpert's damages.

Ms. Tang's Submissions are not Reliable

[14] I do not accept Ms. Tang/250/251s' submissions for a number of reasons including:

- a. Mr. Smythe says: "Based on the information I was provided appears Sam split the blanket mortgage and added almost \$400,000.00 over and above what was actually owed without providing the full disclosures and without advancing any new money which, if true, is clearly not allowed." It is

unclear what information Mr. Smythe was given in order to do his summary which Ms. Tang incorporated into her submissions.

- b. Mr. Smythe says that he has “not evaluated the terms of each loan.”
- c. He refers to not ‘double counting’ arrears and penalties, without stating what they were, other than the one I identified in my Amended Reasons.
- d. He says: “numbers supplied by Sam in October [2025?] are incorrect at best and do not seem to have any corresponding back up.” He does not state which numbers he is talking about.

Ms. Tang’s Submissions are Improper

[15] Under the guise of submissions Ms. Tang attempts to a) adduce new evidence clearly available to her before trial but not adduced at trial, b) re-argue damages, and c) introduce new arguments on damages that she failed to make in her original written submissions. None of these are permissible.

[16] In any event, there was no double counting in the 2019 Blanket Mortgage. The 2019 Blanket Mortgage included in its ambit the remaining balances of the 2018 Blanket Mortgage and the 2018 Westmount Mortgage, both of which Ms. Tang permitted to go into default in October 2018, and with respect to both of which Xpert had commenced Power of Sale proceedings. Those actions were settled. The terms of the settlement were disputed at trial. I made findings of fact with respect to what that agreement provided.

[17] I granted judgment to Xpert only on the 2019 Blanket Mortgage, it having assigned the Westmount Mortgage to 274.

[18] These findings are set out in paras 114 et seq. of my Amended Reasons. Ms. Tang, by her submissions, attempts to re-argue a contrary set of facts to those I found.

Conclusion as to Damages

[19] I accept the submissions of Xpert regarding damages and find that as of the date of my Amended Reasons of 5 August 2025, the Judgment is for \$1,018,848.74, calculated as follows:

Mortgage Balance (net of the \$95,850 lender's fee)	\$1,014,150.00
Interest to 18 September 2019 (253 days at 9.9%)	\$ <u>66,465.01</u>
Subtotal	\$1,080,615.01
Less \$495,982.85 rec's from Eglington sale	\$ <u>(495,982.85)</u>
Subtotal	\$ 584,632.16
Interest 18 September 2019 to 5 August 2025 2147 days at 9.9%)	\$ <u>434,216.58</u>
Total:	\$1,018,848.74.

[20] Judgment shall issue accordingly, once the Order to Continue is obtained.

Trimble, J.

Released: July 6, 2026

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SUPERIOR COURT OF JUSTICE

B E T W E E N:

TANG, ALEXANDRA
2505006 ONTARIO CORPORATION
2510516 ONTARIO LTD.

Plaintiffs

- and -

XPERT CREDIT CONTROL SOLUTIONS INC.
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Defendants

**SUPPLEMENTARY REASONS FOR
JUDGMENT**

Trimble, J.

Released: July 6, 2026