

CONDOMINIUM AUTHORITY TRIBUNAL

DATE: June 25, 2020

CASE: 2020-00086R

CITATION: Cheung v York Condominium Corporation No. 476, 2020 ONCAT 23

Order under section 1.44 of the *Condominium Act, 1998*.

Adjudicator: Nicole Aylwin, Member

The Applicant

Janine Cheung

Self-represented

The Respondent

York Condominium Corporation No. 476

Ion Tiniche, Agent

Hearing: Written Electronic Hearing, 2020-05-25 - 2020-06-23

DECISION & ORDER

- [1] The Applicant, Ms. Janine Cheung, filed an application at the Condominium Authority Tribunal (CAT) and the matter proceeded directly to a Stage 3 - Adjudication hearing. At Stage 3 - Adjudication, the Respondent York Condominium Corporation No. 476 (YCC 476) joined the case, represented by Mr. Ion Tiniche.
- [2] As no Stage 1 - Negotiation or Stage 2 - Mediation had taken place prior to Stage 3 - Adjudication, the parties were offered the opportunity to resolve the issues during the prehearing phase of Stage 3 - Adjudication.
- [3] The issues to be resolved were:
1. Is Ms. Cheung entitled to the records she has requested?
 2. If so, is YCC 476 entitled to charge for the labour delivery and printing/copying cost of the requested records?
 3. If so, are the fees requested by YCC 476 for the labour, delivery and copying of the records reasonable as per as per s. 13.3(8)1of the Ontario Regulation 48/01?

- [4] Through respectful discussion, these issues were resolved prior to proceeding to the hearing. YCC 476 agreed that Ms. Cheung was entitled to the records she had requested. Ms. Cheung agreed that YCC 476 was entitled to charge for the labour delivery and printing/copying costs of the requested records, and a fee of \$140.00 was agreed upon. The records requested were delivered, save for the requested service agreements of which YCC 476 did not have any to provide and which was accepted by Ms. Cheung.
- [5] After having received and reviewed the records, on June 23, 2020 Ms. Cheung confirmed the issues had been resolved and the case could be closed.
- [6] The CAT accepts that the issues have been resolved and confirms that the case is closed.
- [7] On a final note, I would like to commend both Ms. Cheung and YCC 476 for their willingness to keep communication open and resolve these issues in a way that was mutually satisfactory.

ORDER

The Tribunal orders that:

1. The case is closed at Stage 3 - Adjudication.

Nicole Aylwin
Member, Condominium Authority Tribunal

RELEASED ON: June 25, 2020