

**CONDOMINIUM AUTHORITY TRIBUNAL  
MOTION ORDER**

**DATE:** August 7, 2019

**CASE:** 2019-00026R

**Citation:** Nicholaos Nassios v Grey Standard Condominium Corporation No. 46, 2019 ONCAT 27

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

**Member:** Laurie Sanford

**The Applicant**  
Nicholaos Nassios

Self-Represented

**The Respondent**  
Grey Standard Condominium Corporation No. 46

Robert Weinberg, Agent

**MOTION DECISION AND ORDER**

**A. OVERVIEW**

- [1] On June 20, 2019, the Tribunal released its Decision and Order (the “Dismissal Order”) on a Motion to Dismiss Mr. Nassios’ application for records from Grey Standard Condominium Corporation No. 46 (“GSCC46”). The motion was granted and Mr. Nassios’ application was dismissed on the grounds that he had sold his condominium unit and, therefore, had lost his status to request records from GSCC46.
- [2] Mr. Nassios brings this motion (the “Correction Motion”) to correct or clarify the June 20<sup>th</sup> Decision under Rule 30 of the Tribunal’s Rules of Practice.
- [3] For the reasons set out below, I find that I do not have the jurisdiction to make the corrections and clarifications that Mr. Nassios requests. On this basis, the motion is denied. Therefore, it is not necessary to consider whether the requested changes are warranted.

**B. ISSUES & ANALYSIS**

- [4] There are two issues that arise in considering this motion. First, does the Tribunal have the jurisdiction to consider the types of clarifications and corrections that Mr. Nassios requests? Second, if the Tribunal has that jurisdiction, is it appropriate to exercise the jurisdiction in this case?
- [5] Mr. Nassios brings this motion under subsection 30.3 of the Tribunal’s Rules of Practice. Rule 30 provides:

30.1 The CAT may at any time correct a typographical error, a calculation error, or similar error in its Order or decision.

30.2 The CAT may at any time make minor changes to an Order or decision to clarify wording that is unclear or incorrectly stated.

30.3 A User has 30 days after receiving the Order or decision to ask the CAT to make this kind of minor correction or clarification. The User must deliver their request to the other Users and the CAT.

- [6] Mr. Nassios submits that in the Dismissal Order, I mis-stated statements he made in his testimony and in his submissions. He asserts that various parts of the Dismissal Order “cherry-picked” from his testimony, were irrelevant or made him look bad. He expressed concern that the arguments he made as to why he should be permitted to continue his application as an agent for another owner were misunderstood and mis-represented. He also submitted that the Tribunal process left him confused and unable to participate as fully as would have been possible had there been a telephone conference call. In considering this Correction Motion, I did not seek submissions from GSCC46.
- [7] The decisions of the Tribunal are intended to be the final word on a matter, made after consideration of the evidence, law and submissions. If any party believes the decision is incorrect, there are remedies available but these occur in another forum. Inevitably, there may be minor errors that creep into a decision that do need to be corrected. Rule 30 exists to permit this. Rule 30.1 refers to a “typographical error, calculation error or similar error” in Orders or decisions. Rule 30.2 permits “minor changes . . . to clarify wording that is unclear or incorrectly stated.”
- [8] The types of corrections and clarifications that Mr. Nassios requests are not typographical errors or minor changes to clarify meaning or correct wording. Mr. Nassios’ concerns are much more substantial than that. It is unfortunate that Mr. Nassios believes I mis-represented his statements or positions or that statements in the decision made him look bad: such was not my intention. However, Rule 30 does not apply in this case. There is no other Rule or provision of law that would give me the jurisdiction to make the changes that Mr. Nassios requests, even if I felt those requests were justified. Therefore, this motion is denied on the grounds that I do not have the jurisdiction to grant the remedies that Mr. Nassios seeks. In light of this conclusion, it is not necessary to consider the second question of whether the proposed changes are warranted.

## **C. ORDER**

- [9] The Tribunal orders that this motion be denied.

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Laurie Sanford

Member, Condominium Authority Tribunal

Released on: August 7, 2019