

## CONDOMINIUM AUTHORITY TRIBUNAL

**DATE:** September 5, 2020

**CASE:** 2019-00189R

**CITATION:** Lewis v York Condominium Corporation No. 510, 2020 ONCAT 31

Order under section 1.47 of the *Condominium Act, 1998*.

**Member:** Rosemary Muzzi, Member

**The Applicant,**

David Lewis

Self-Represented

**The Respondent,**

York Condominium Corporation No. 510

Represented by Rene Mendez, Agent

### **CONSENT ORDER**

[1] The Applicant, David Lewis, and the Respondent, York Condominium Corporation No. 510, have agreed to settle this case and for the terms of their agreement to be incorporated into a consent order.

[2] CAT Member Rosemary Muzzi therefore orders that this case has been resolved without a hearing, based on the following terms and conditions:

[3] David Lewis and York Condominium Corp No. 510 (the condo board) agree to settle this records dispute on the following basis:

1. The condo board will amend the report of the Energy Committee to the upcoming September 29, 2020 AGM, to include the following paragraph:

The Energy Committee report to the 2018 AGM, which was prepared well in advance and was not intended to be part of the official records nor part of the minutes of the AGM, included a statement that “We have changed over to LED lighting in the lounge, Tiffany room and storage locker areas”. While there was no intent to mislead and the report had been based on the best information available at the time of writing, this was actually a slight error that was later corrected in the official meeting minutes of the 2018 AGM to “The vast majority of lighting [in the lounge and Tiffany Room] has been changed to LED; the only exception has been where we have not been able to obtain bulbs with appropriate kelvin levels to colour match the ambiance.”

2. David Lewis and the condo board will strictly maintain the confidentiality of the mediation process in which they engaged to resolve this dispute and agree that:
  - a. If a question about this subject matter arises at the AGM, the condo board will acknowledge that a complaint was made, a mediation process was undertaken, and a settlement reached. No other details including the identities of the complainant(s), the particulars of the complaint or the details of the mediation and settlement discussions will be revealed at the AGM.
  - b. The parties will not reveal the identities of the complainant(s), the particulars of the complaint or the details of the mediation and settlement discussions in any other forum.

### **Compliance**

[4] If either David Lewis or York Condominium Corporation No. 510 fails to comply with any of the terms of this order, it may be enforced through the Ontario Superior Court of Justice.

---

Rosemary Muzzi  
Member, Condominium Authority Tribunal

Released on: September 5, 2020