

## CONDOMINIUM AUTHORITY TRIBUNAL

**DATE:** September 17, 2020

**CASE:** 2020-00176R

**CITATION:** Gilmour v. York Condominium Corporation No. 299, 2020 ONCAT 35

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

**Member:** Victoria Romero, Member

**The Applicant,**  
Debbie Gilmour  
Self-Represented

**The Respondent,**  
York Condominium Corporation No.299  
Represented by Natalia Polis, Lash Condo Law

### **DISMISSAL ORDER**

- [1] The Applicant, Ms. Gilmour, filed an application with the Condominium Authority Tribunal (CAT). The case proceeded to Stage 2, Mediation, on July 20, 2020.
- [2] Under Rule 32.3 of the CAT's Rules of Practice, the CAT can close a case in Stage 2, Mediation, if the CAT determines that the Applicant has abandoned her case.
- [3] The Applicant has not participated in this mediation since 05 August 2020, despite repeated requests to do so.
- [4] A Notice of Intent to Dismiss was posted and provided to the parties on August 31, 2020. Both parties were given an opportunity to provide submissions, not exceeding 500 words / or 1 page, to explain why they believe the case should or should not be dismissed.
  - Debbie Gilmour was invited to make submissions by September 10, 2020.
  - York Condominium Corporation No.299 was invited to respond by September 15, 2020.
- [5] The Applicant did not provide any submissions. Indeed, the Applicant did not respond to my subsequent messages and directions. She has repeatedly failed to

take the actions required to actively participate in this stage of the CAT process. As such, I find that this case has been abandoned.

[6] Accordingly, I order that this case be dismissed.

## **ORDER**

[7] The Tribunal orders that:

1. This case is closed in Stage 2, Mediation, under Rule 32.3 of the CAT's Rules of Practice.
2. Any documents and messages that have been shared for this Case in Stage 1 - Negotiation and Stage 2 - Mediation are private and confidential. That means that the Users cannot share, or tell anyone about, messages or documents they received from other Users during these stages without the permission of the other User.
3. The Users may share a copy of any document they received during the course of this case if required by law, such as to a government organization or a court.

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Victoria Romero  
Member, Condominium Authority Tribunal

Released On: September 17, 2020