

## **CONDOMINIUM AUTHORITY TRIBUNAL**

**DATE:** March 30, 2021

**CASE:** 2020-00381N, 2020-00403N, 2021-00077R

**Citation:** Calderon v. York Condominium Corporation No. 274, 2021 ONCAT 25

Order under Rule 4 of the Condominium Authority Tribunal's Rules of Practice.

**Member:** Maureen Carter-Whitney, Member

**The Applicant,**

Ney Calderon  
Self-Represented

**The Respondent,**

York Condominium Corporation No. 274  
Represented by Luis Hernandez, Counsel

### **MOTION ORDER**

- [1] Ney Calderon has initiated the following three cases against York Condominium Corporation No. 274 (YCC 274) at the Condominium Authority Tribunal (CAT): 2020-00381N relates to parking rules; 2020-00403N relates to rules about pets; and 2021-00077R relates to a request for a record referred to in a rule regarding pets.
- [2] The CAT sought submissions about merging these cases to be heard together at Stage 3. While both parties consented to merging 2020-00381N and 2020-00403N, Mr. Calderon did not consent to merging 2021-00077R with the other two cases.
- [3] In his submissions, Mr. Calderon raised broad concerns about his cases, which will be addressed in Stage 3, but did not identify any specific reasons as to why the proceedings should not be heard together at Stage 3. YCC 274 took the position that it would be sensible to merge all three cases.
- [4] Rule 4.1 of the CAT's Rules of Practice states that the CAT may give directions or make Orders to provide for a fair, focused and efficient process in each case. Rule 16.2 states that the CAT may direct that two or more cases be heard together if the CAT believes it would be fair to do so.

[5] Having considered the submissions, I have determined that all three of these cases should be heard together. The disputed record in case 2021-00077R is a grounds map regarding a pet walking area that relates to a rule about pets, which is the subject of case 2020-00403N. Because the record request relates to the subject matter of case 2020-00403N, I find that merging all three cases together will provide for the most fair, focused and efficient process for both parties in terms of their time and resources and will not result in any prejudice to either party.

**ORDER**

[6] The Tribunal orders that cases 2020-00381N, 2020-00403N, 2021-00077R be heard together, pursuant to Rule 16.2 of the CAT Rules of Practice.

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Maureen Carter-Whitney  
Member, Condominium Authority Tribunal

Released on: March 30, 2021