

CONDOMINIUM AUTHORITY TRIBUNAL

DATE: September 15, 2021

CASE: 2021-00228R

Citation: Mishchenko v. Middlesex Condominium Corporation No. 446, 2021 ONCAT 82

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

Member: Emile Ramlochan, Member

The Applicant,

Lisa Mishchenko

Self-Represented

The Respondent,

Middlesex Condominium Corporation No. 446

Represented by Stephanie Sutherland, Counsel

CONSENT ORDER

- [1] In the Condominium Authority's Tribunal online system, the Parties agreed to settle this case in Stage 2 - Mediation.
- [2] Under Rule 32.1 of the CAT's Rules of Practice, the CAT can close a case in Stage 2 - Mediation if the Users agree to the CAT making a consent order that resolves the dispute.
- [3] With the consent of the Users, the CAT orders that this case has been resolved, based upon the terms and conditions set out in this consent order.

ORDER

- [4] The Applicant and Respondent agree to bring this case before the CAT to a close based on the following terms:
 - a. **Board Meeting Minutes**

1. Within 15 days of the date this Order, and no later than September 30, 2021, the Corporation will provide the Applicant with Board Meeting Minutes created from December 20, 2020, through to April 28, 2021.
2. These records will be provided to the Applicant with a statement explaining each redaction made and specifying the subsections of s. 55(4) of the *Condominium Act, 1998* that it relies on for each of the redactions contained in the Meeting Minutes.
3. These records will be provided to the Applicant in an electronic format to be determined and agreed upon by both the Applicant and Respondent.

b. Quotes, Invoices and Receipts for the Boiler Maintenance Repair

1. Within 15 days of the date of this agreement, the Corporation will provide the Applicant with all Quotes, Invoices and Receipts collected in relation to the maintenance and repair of the Boiler Room, and the equipment within the Boiler Room.
2. These records will be provided to the Applicant in an electronic format to be determined and agreed upon by both the Applicant and the Respondent.
3. If records of Quotes, Invoices and/or Receipts are not available or are non-existent, the Respondent will provide the Applicant with a written statement confirming this.

c. December 15, 2020, Plumbhouse Plumbing, Heating and Electrical Invoice

1. Within 30 days of the date of this Order, the Respondent will contact the plumbing contractor who provided the December 15, 2020, invoice under the Plumbhouse business name, and request a replacement invoice that accurately reflects that contractor's true business name, business address, and contact details.
2. Within 30 days of the date of this agreement, the Respondent will provide a written statement to the Applicant with a status update on the contractors' response to this inquiry and/or the revised service invoice.
3. Provisions (1) and (2) above, will be completed no later than October 15, 2021.

COMPLIANCE

[5] If any of the parties fails to comply with any of the terms of this order, it may be enforced through the Ontario Superior Court of Justice.

Emile Ramlochan,
Member, Condominium Authority Tribunal

Released on: September 15, 2021