

CONDOMINIUM AUTHORITY TRIBUNAL

DATE: October 19, 2021

CASE: 2021-00226R

Citation: Anantharaj v. Peel Condominium Corporation No. 485, 2021 ONCAT 98

Order under section 1.41 of the *Condominium Act, 1998*.

Member: Benjamin Drory, Member

The Applicant,

Suresh Anantharaj

Self-Represented

The Respondent,

Peel Condominium Corporation No. 485

Represented by Darryl Fulton, Condominium Manager

DISMISSAL ORDER

- [1] The Applicant filed an application with the Condominium Authority Tribunal (CAT), and the case proceeded to Stage 2 - Mediation on July 29, 2020.
- [2] Under Rule 17.1(e) 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 their case because they no longer want to continue or are no longer actively involved in the Case.
- [3] This case arose in the context that Respondent sent letters to the Applicant's tenant in December 2020 and January 2021, noting instances where it felt the tenant was observed creating noise disturbances and violating other condominium rules. The letters raised the matters to the attention of the Respondent's solicitor. The Applicant submitted Requests for Records to the Respondent in June 2021, seeking records of the noise complaints and a court order authorizing the Respondent to collect chargebacks.
- [4] During Stage 2 – Mediation, the Respondent uploaded three letters it sent to the Applicant's tenant, together with related Occurrence Reports from building security.
- [5] There was no activity in this matter between September 27, 2021 and October 15,

2021, at which point I followed up with the parties to determine how the Applicant would like to proceed, and noted my perspective on what the Tribunal could feasibly address in Stage 3 – Tribunal Decision. I advised that I would grant the Applicant permission to advance the matter to Stage 3 – Tribunal Decision if he wished, but the Applicant replied that he would take up his remaining issues with the Respondent elsewhere, and that the CAT case could be closed.

[6] I am satisfied that the Applicant no longer wants to continue his case within the CAT, and that it is accordingly appropriate to dismiss it pursuant to Rule 17.1(e).

ORDER

[7] The Tribunal orders that:

1. This case is closed in Stage 2 – Mediation under Rule 17.1 of the CAT's Rules of Practice.
2. Any documents and messages that have been shared for this Case in Stage 1 - Negotiation and / or 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.

Benjamin Drory
Member, Condominium Authority Tribunal

Released on: October 19, 2021