

## CONDOMINIUM AUTHORITY TRIBUNAL

**DATE:** June 27, 2022

**CASE:** 2022-00152N & 2022-00154N

**Citation:** Mortazavi v. Toronto Standard Condominium Corporation No. 2048 et al.,  
2022 ONCAT 69

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

**Member:** Ian Darling, Chair.

**The Applicant,**  
Houman Mortazavi  
Self-Represented

**The Respondents,**

Case # 2022-00152N

Toronto Standard Condominium Corporation No. 2048  
Represented by Megan Mackey, Counsel

Wan Tien Chang  
Self-Represented

Case # 2022-00154N

Toronto Standard Condominium Corporation No. 2048  
Represented by Megan Mackey, Counsel

Ying Li  
Self-Represented

### **ADJOURNMENT ORDER**

- [1] The Applicant filed two cases (2022-00152N & 2022-00154N) with the Condominium Authority Tribunal, and both were accepted by the Tribunal on April 13, 2022. The issues and parties in these applications are similar to a case (2022-00128N) that was already before the Tribunal.
- [2] On May 6, 2022, the CAT ordered 2022-00124N adjourned until August 15, 2022<sup>1</sup>. The adjournment order had two conditions:

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<sup>1</sup> Toronto Standard Condominium Corporation No. 2048 v. Mortazavi, 2022 ONCAT 47

1. The Respondent is to upload an updated doctor's letter by no later than June 29, 2022 ...failing which the adjournment may be lifted and the case may proceed.
  2. In the event that the cases 2022-00152N and 2022-00154N proceed to Stage 2, this adjournment shall be lifted, and the case will proceed.
- [3] Cases 2022-00152N and 2022-00154N were "pending" when the CAT issued the adjournment order in 2022-00128N. Despite the terms of the order, on May 25, 2022, the Applicant (or their agent using the Applicant's account) paid to advance the cases from "pending" to the next step in the tribunal process.
- [4] On June 6, 2022, Case 2022-00128N resumed in accordance with the adjournment order. On June 8, 2022, the CAT proposed to temporarily adjourn CAT cases # 2022-00152N and 2022-00154N pending the outcome of 2022-00128N for the following reasons:
1. The hearing for 2022-00128N was ongoing. Both 2022-00152N and 2022-00154N were waiting for a CAT Member to be assigned before a hearing commences.
  2. It appears that 2022-00128N, 2022-00152N, and 2022-00154N all relate to similar issues in dispute – unreasonable noise and / or vibration in the condominium. The cases differ in whom is believed to be the source of the noise / vibration.
  3. Due to their closely related issues, completing the hearing and deciding case 2022-00128N could resolve the issues in dispute for 2022-00152N and 2022-00154N.
  4. If the decision in 2022-00128N does not resolve the issues in dispute for 2022-00152N and 2022-00154N, and a hearing is necessary, then hearing the cases sequentially may allow an expeditious method of determining the questions arising in the cases.
- [5] The CAT requested submissions from both parties. TSCC 2048 did not oppose adjourning the cases, and in the alternative proposed merging the three cases. The Applicant requested adjournment until August 15 for medical reasons. The Applicant objected to adjourning until the conclusion of 2022-00128N. The Applicant proposed postponing 2022-00128N until cases 2022-00152N and 2022-00154N were resolved.
- [6] Upon review of the submissions, I conclude that there is sufficient basis to adjourn

these cases until August 15, 2022. The Applicant has provided medical documentation to the CAT, and the Member conducting 2022-00128N adjourned the case until that date. After August 15, 2022, the CAT will consider the remainder of the motion to delay or merge the cases

**ORDER**

[7] CAT Cases 2022-00152N and 2022-00154N are adjourned until August 15, 2022.

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Ian Darling  
Chair, Condominium Authority Tribunal

Released on: June 27, 2022