

## CONDOMINIUM AUTHORITY TRIBUNAL

**DATE:** July 13, 2022

**CASE:** 2022-00400N

**Citation:** Rehtoris-Stafford v. Waterloo Standard Condominium Corporation No. 411,  
2022 ONCAT 75

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

**Member:** Ian Darling, Chair

**The Applicant,**  
Matthew Rehtoris-Stafford  
Self-Represented

**The Respondent,**  
Waterloo Standard Condominium Corporation No. 411

### **DISMISSAL ORDER**

- [1] An application was submitted to the Condominium Authority Tribunal (CAT) on June 14, 2022. This application primarily relates to a violent incident involving the Applicant.
- [2] For the following reasons, the Tribunal is dismissing this application under [Rule 19.1 of the CAT's Rules of Practice](#). The CAT's jurisdiction is established under [Ontario Regulation 179/17](#) (the Regulation). The application was filed as a dispute about the condominium corporation's governing documents and / or an unreasonable nuisance, annoyance, or disruption.
- [3] The Applicant identified themselves as a unit owner, but legal letters attached to the application from the Respondent's legal counsel refer to other individuals as the unit's owners and identify the Applicant as a unit occupant.
- [4] [Section 1.36 of the Condominium Act, 1998](#), (the "Condo Act") only allows unit owners, mortgagees, purchasers and condominium corporations to file applications with the CAT. If the Applicant is not at least a partial owner of the unit, they are not legally capable of maintaining this application.
- [5] In this application, the Applicant is seeking to address several disputes related to a violent altercation that occurred on March 23, 2022. The application contains serious allegations. However, it does not appear to relate to the Respondent's governing documents and / or an unreasonable nuisance, annoyance or disruption in the condominium corporation.

- [6] [Section 1 \(3\) of the Regulation](#) prohibits the CAT from dealing with applications where the issues in dispute relate to [section 117 \(1\) of the Condo Act](#), including disputes regarding:
1. Conditions or activities that have or are likely to cause someone injury and / or illness; or
  2. Conditions or activities that have or are likely to cause damage to the condominium corporation's property or assets.
- [7] Accordingly, as this dispute appears to primarily relate to the Respondent's reaction to a violent incident involving the Applicant, the issues in this application appear to be outside of the CAT's jurisdiction.
- [8] The Tribunal invited the parties to respond to a Notice of Intent to Dismiss the Application. No responses were received. In absence of submissions from the parties, I find that this CAT application was filed with the CAT for an improper purpose. Accordingly, the application is dismissed.

### **ORDER**

- [9] The Tribunal orders the application dismissed

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Ian Darling  
Chair, Condominium Authority Tribunal

Released on: July 13, 2022