

CONDOMINIUM AUTHORITY TRIBUNAL

DATE: July 27, 2022

CASE: 2022-00150N

Citation: Halton Condominium Corporation No. 191 v. Nicholson et al., 2022 ONCAT 82

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

Member: Brian Cook, Member

The Applicant,

Halton Condominium Corporation No. 191
Represented by Megan Macky, Counsel

The Respondents,

Sean Nicholson
The Estate of Catherine Nicholson
Represented by Anthony Wellenreiter, Counsel

CONSENT ORDER

- [1] In the Condominium Authority Tribunal's (CAT) online dispute resolution system, the Parties agreed to settle this case in Stage 2 - Mediation.
- [2] Under Rule 34.3 of the CAT's Rules of Practice, the CAT can close a case in Stage 2 - Mediation if the Parties agree to the CAT making a consent order that resolves the dispute.
- [3] With the consent of the Parties, the CAT orders that this case has been resolved, based upon the terms and conditions set out in this consent order.

ORDER

- [4] Consent order for Halton Condominium Corporation No. 191 and suite 904:
1. The unit occupants shall follow the rules and not smoke or allow anyone to smoke inside the unit or common areas which includes the terrace at 904.
 2. The unit occupants shall not throw objects, including cigarette butts, off the terrace.

3. The unit occupants shall follow the rules and not permit any pet to urinate or defecate in the unit, on the terrace, or anywhere on the common elements.
4. The unit occupants shall follow the rules and not use the terrace for storage. Only seasonal furniture is permitted on the terrace.
5. The unit occupant shall follow the rules and not create or permit the creation or continuation of any noise or nuisance which, in the opinion of the Manager or the board of directors, may or does disturb the comfort or the quiet enjoyment of the property by others. This includes noise from music or parties inside the suite as well as noise from guests who leave the suite.
6. The unit owners agree to pay \$12,500 for costs to the condominium. Payment will be made no later than August 31, 2022.

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.

Brian Cook
Member, Condominium Authority Tribunal

Released on: July 27, 2022