

CONDOMINIUM AUTHORITY TRIBUNAL

DATE: February 28, 2023

CASE: 2022-00747R

Citation: Garisto v. Toronto Standard Condominium Corporation No. 1753, 2023 ONCAT 31

Order under section 1.44 of the *Condominium Act, 1998*.

Member: Anna Boudria, Member

The Applicant,
Roberto Garisto
Self-Represented

The Respondent,
Toronto Standard Condominium Corporation No. 1753
Represented by Forough Eydi, Agent

Submission Dates: February 17, 2023 to February 24, 2023

DISMISSAL ORDER

- [1] The Applicant filed an application with the Condominium Authority Tribunal (CAT). The case proceeded to Stage 2 - Mediation on January 17, 2023.
- [2] Under Rule 34.3 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.
- [3] The Applicant has not participated in this mediation since January 27, 2023.
- [4] A Notice of Intent to Dismiss was posted on the CAT-ODR platform on **February 13, 2023**. The parties were given an opportunity to provide submissions why they believed the case should or should not be dismissed. The Applicant was invited to make submissions by **February 17, 2023**. The Respondent was invited to make submissions by **February 24, 2023**.
- [5] Neither party provided any submissions. As the Applicant has not responded to my subsequent messages or directions, I find that this case has been abandoned.
- [6] Accordingly, I order that this case be dismissed.

ORDER

[7] The Tribunal orders that:

1. This case is closed in Stage 2- Mediation under Rule 34.3 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.

Anna Boudria
Member, Condominium Authority Tribunal

Released on: February 28, 2023