

CONDOMINIUM AUTHORITY TRIBUNAL

DATE: May 18, 2023

CASE: 2022-00422N

Citation: York Condominium Corporation No. 228 v. G. R., 2023 ONCAT 69

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

Member: Brian Cook, Member

The Applicant,

York Condominium Corporation No. 228

Represented by Victor Yee, Counsel

The Respondent,

G.R.,

Self-Represented

CONSENT ORDER

- [1] 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] G.R. agrees to comply with the *Condominium Act, 1998*, and the Applicant's Declaration, By-laws, and Rules; and in particular, will ensure that unreasonable odours do not emanate from her unit.
- [5] If there are any complaints about odours in the future related to G.R.'s unit, the Applicant will advise G.R. of the complaint and will allow her at least 48 hours to address the complaint before taking further action.
- [6] The Applicant agrees that it will not seek to recover any costs related to this Application; including the costs of the things that have been done to remediate and clean G.R.'s unit, and any legal costs incurred in this Application.
- [7] The parties agree to identify the respondent only as "G.R." and to keep her identity confidential. In the context of this settlement, the Tribunal agrees with this

approach in this case to protect G.R.'s personal information and dignity. The Applicant may advise G.R.'s neighbours in the vicinity of her unit about the things that have been done to address the concerns and the steps that have been taken to help resolve the issues identified in the Application.

COMPLIANCE

[8] 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: May 18, 2023