

CONDOMINIUM AUTHORITY TRIBUNAL

DATE: July 17, 2023

CASE: 2023-00113R

Citation: Khamissa v. York Condominium Corporation No. 43, 2023 ONCAT 91

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

Member: Marc Bhalla, Member

The Applicant,

Zaid Khamissa

Self-Represented

The Respondent,

York Condominium Corporation No. 43

Represented by Luis Hernandez, 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] Without charge, the Respondent will give the Applicant:
 1. All approved and signed minutes of York Condominium Corporation No. 43's Board of Directors meetings from April 2022 to May 2023. These minutes shall be given within 10 days of whichever is earlier, this Consent Order or their approval, on an individual meeting basis.
 2. All approved and signed minutes of Linkwood Village Recreation Centre Board of Managers Meetings from September 2022 to May 2023. These

minutes shall be given within 15 days of whichever is earlier, this Consent Order or their approval, on an individual meeting basis.

3. All invoices issued to and received by the Respondent from Shibley Righton LLP for the period of March 2022 to May 2023. These invoices shall be given within 10 days of this Consent Order.
4. Linkwood Village Recreation Centre unaudited financial statements from January 2022 to May 2023. These financial statements shall be given within 10 days of this Consent Order.
5. The records listed above shall be redacted as necessary and accompanied by a statement of redactions in accordance with case law and/or legislation.
6. Unaudited financial statements with arrears reports for March 2022, and July 2022 to May 2023. These financial statements and reports shall be given within 10 days of this Consent Order. This record shall only have unit numbers and owner names redacted.
7. A cheque in the amount of \$375 payable to the Applicant for denial of access to records and to resolve all issues in this application. This cheque shall be given within 10 days of this Consent Order.

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.

Marc Bhalla
Member, Condominium Authority Tribunal

Released on: July 17, 2023