

## CONDOMINIUM AUTHORITY TRIBUNAL

**DATE:** October 6, 2023

**CASE:** 2023-00275N

**Citation:** Halton Condominium Corporation No. 534 v. A et al., 2023 ONCAT 145

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

**Member:** Brian Cook, Member

### **The Applicant,**

Halton Condominium Corporation No. 534

Represented by Megan Mackey and Inderpreet Suri, Counsel

### **The Respondents,**

Christine A

Represented by Maria Valente, Agent

Cory A

Represented by Maria Valente, Agent

## **CONSENT ORDER**

[1] The Parties agree to settle this case and to have their agreement set out in this consent order.

### **CONFIDENTIALITY**

[2] The parties agree that the initial “A” will be used in this consent order in place of the respondents’ last name to respect privacy.

### **BACKGROUND**

[3] Cory A is the owner of a unit in Halton Condominium Corporation No. 534 (“HCC 534”). Her daughter Christine lives in the unit on her own.

[4] HCC 534 filed this Application because of complaints from residents that Christine’s behaviour is causing significant disruption.

[5] The respondents understand that loud noise and other disruptive activities can interfere with the rights of others and may be contrary to section 117(2) of the *Condominium Act, 1998* (the “Act”) which provides that no person can carry on an

activity or permit an activity to be carried on in a condominium unit or while on the common elements of the condominium if the activity results in any unreasonable noise that is an annoyance or disruption to others.

- [6] The declaration, bylaws and rules of HCC 534 similarly prohibit residents from making loud noise or engaging in behaviour that is unreasonably disruptive to others. This includes activity or noise that is in the unit and in the common element areas of HCC 534.
- [7] The respondents are concerned that Christine has been stigmatised and blamed for things that she did not do or that occurred when she was not in the building. Without agreeing that this has necessarily occurred, HCC 534 recognizes that Christine is entitled to be treated with respect. Christine understands that she must also treat others with respect.
- [8] The parties agree that rather than focusing on the past that they will focus on the future and agree to the following which on the agreement of the parties are orders of the Tribunal.

## **ORDER**

- [9] Christine will not make unreasonable noise or cause disturbance to other residents or staff of the condominium. This includes when she is in the unit and when she is on the HCC 534 common elements, including the grounds outside. For clarity, Christine may not scream or make excessive noise when she is inside her unit or on the common elements.
- [10] If Christine feels that she may need to call 911 for assistance, she will first try to contact Cory by telephone to discuss whether she needs to call 911.
- [11] If HCC 534 receives complaints concerning Christine's behaviour, they will attempt to contact Cory before taking other action.
- [12] HCC 534 will not seek further compensation or costs for any matter between the parties up to the date of this Order. HCC 534 may seek costs in the future if the respondents do not comply with the agreement and Order.

## **COMPLIANCE**

- [13] 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.

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Brian Cook  
Member, Condominium Authority Tribunal

Released on: October 6, 2023