

CONDOMINIUM AUTHORITY TRIBUNAL

DATE: November 27, 2023

CASE: 2023-00425N

Citation: Toronto Standard Condominium Corporation No. 2763 v. Naderi et al., 2023 ONCAT 180

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

Member: Anne Gottlieb, Member

The Applicant,

Toronto Standard Condominium Corporation No. 2763

Victor Yee, Counsel

The Respondents,

Nasim Naderi

Alireza Akbari

Self Represented

Shanthosh Ravikumar

Self Represented

DISMISSAL ORDER

- [1] The Applicant filed an application with the Condominium Authority Tribunal (CAT) regarding noise related to the unit occupied by the tenant Shanthosh Ravikumar. Nasim Naderi and Alireza Akbari are owners of the unit. Stage 2 - Mediation ("Stage 2") began August 21, 2023.
- [2] All parties participated cooperatively, in Stage 2. However, a solution agreeable to everyone was not found and agreement was not reached. On November 3, 2023, this Tribunal Member granted permission to move this case to Stage 3 - Tribunal Hearing ("Stage 3").
- [3] Under Rule 34.3(e) of the CAT's Rules of Practice, the CAT can close a case if the Applicant has not paid the fee to proceed to Stage 3, within 15 days. This Tribunal Member is satisfied that Counsel for the Applicant is aware of a 15 day requirement to pay this fee. To date the Applicant has not paid the required fee. Accordingly, the CAT orders that this case be closed.

ORDER

- [4] The Tribunal orders that:

1. This case is closed in Stage 2 - under Rule 34.3 of the CAT's Rules of Practice and shall not be reopened.
2. Messages from the Stage 2 Tribunal Member are not to be shared or disclosed.
3. The parties may share a copy of any document they received during this case if required by law, such as to a government organization or a court.

Anne Gottlieb
Member, Condominium Authority Tribunal

Released on: November 27, 2023