

CONDOMINIUM AUTHORITY TRIBUNAL

DATE: February 9, 2024

CASE: 2023-00677R

Citation: Cerrato v. Simcoe Condominium Corporation No. 8, 2024 ONCAT 19

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

Member: Anne Gottlieb, Member

The Applicant,

Angel Cerrato

Self Represented

The Respondents,

Simcoe Condominium Corporation No. 8

Sonja Hodis, Counsel

CONSENT ORDER

- [1] The Applicant, Mr. Cerrato, made a Request for Records in August 2023, for minutes of board meetings held within the previous 12 months. An application was filed with the Condominium Authority Tribunal (“the CAT”) seeking board minutes for: July 2022, September 2022, October 2022, November 2022, December 2022, January 2023, February 2023, March 2023, and June 2023.
- [2] During Stage 2 - Mediation (“Stage 2”) the Respondent, Simcoe Condominium Corporation No. 8 (“SCC No. 8” or the “condominium corporation”) provided the unredacted minutes for the board meeting of October 2022. SCC No. 8 also provided redacted minutes of the board of directors’ meetings held July 2022, September 2022, November 2022, March 2023, and June 2023. An explanation for the redactions was provided. The condominium corporation indicated that there are no minutes of board meetings and that no board meetings were held in December 2022, January 2023, and February 2023.
- [3] 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 a consent order that resolves the dispute.
- [4] The parties agree to close this case upon the following terms:

1. SCC No. 8 acknowledges that the minutes of board meetings are to reflect the decisions of the board of directors in relation to the administration of the condominium corporation.
2. SCC No. 8 agrees to pay Mr. Cerrato \$75 for reimbursement of the filing fees he paid to CAT for this application, by cheque, within 30 days of the date of this Order.
3. Mr. Cerrato withdraws his request for a penalty against SCC No. 8, with regards to this application.
4. SCC No. 8 does not seek any costs against Mr. Cerrato with regards to this application.

ORDER

[5] The Tribunal makes the following order:

1. Within 30 days of the date of this order, Simcoe Condominium Corporation No. 8 will provide Mr. Cerrato with a cheque for \$75 for the cost of the filing fees paid for this application.
2. Simcoe Condominium Corporation No. 8 does not seek any costs against Mr. Cerrato with regards to this application.
3. There is no order respecting any penalty with regards to this application.

[6] This case is closed in Stage 2 - Mediation under Rule 34.3 of the CAT's Rules of Practice.

Anne Gottlieb
Member, Condominium Authority Tribunal

Released on: February 9, 2024