

## CONDOMINIUM AUTHORITY TRIBUNAL

**DATE:** April 8, 2024

**CASE:** 2023-00671N

**Citation:** York Condominium Corporation No. 271 v. Mead et al., 2024 ONCAT 55

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

**Member:** Marc Bhalla, Member

**The Applicant,**

York Condominium Corporation No. 271

Represented by Natalia Polis, Counsel

**The Respondent,**

Ruth Mead and Chris Mead

Represented by Calvin Barry, 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] Effective immediately upon issuance of this Consent Order, Ruth Mead shall take effective steps to ensure Chris Mead cease and desist from smoking and/or consuming any cannabis, whether by vaporizer or other manner that produces any odour, smoke, and/or vapor, within the Unit and/or common elements and ensure that no further smoke or odours from cannabis or other substances, including tobacco, migrate from the Unit to any other units and/or common elements.
- [5] Effective immediately upon issuance of this Consent Order, Chris Mead cease and desist from smoking and/or ingesting cannabis in the Unit and/or common

elements in any manner that causes smoke, vapour, or any odour transfer to other units and/or common elements and take steps to ensure no tobacco odours and/or smoke migrate from the Unit and/or common elements to other units and/or common elements.

- [6] Within thirty (30) days of issuance of this Consent Order, Ruth Mead and/or Chris Mead shall clean up the Unit into an acceptable, hygienic and sanitary state, including removing any debris, garage or refuse from the Unit and shall ensure that the Unit is maintained in a sanitary state thereafter. The Corporation shall inspect the Unit upon the expiry of the thirty (30) days to investigate the state of the Unit. Prior written notice of entry will be provided to Chris Mead via email and Ruth Mead via email at the email address they have provided to the Corporation. Should the Corporation find that the Unit is not in an acceptable state, the Corporation shall retain a third party to remove any debris, refuse or garbage and shall sanitize and clean the Unit. All costs incurred with respect to same shall be considered additional common expenses payable for the Unit and shall be Ruth Mead's responsibility to remit payment of same within a deadline to be provided by the Corporation.
- [7] Within fifteen (15) days of issuance of this Consent Order, Chris Mead and Ruth Mead, whether jointly or severally, pay the Corporation \$5,000.00 (inclusive of HST). The aforementioned to be payable by bank draft payable to YORK CONDOMINIUM CORPORATION NO. 271 and deposited to the management office. Ruth Mead understands and acknowledges that should payment not be received by the aforementioned date, the costs noted in this paragraph and any future legal fees and/or expenses shall be treated as common expenses payable for the Unit with corresponding lien rights in favour of the Corporation.

## **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.

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Marc Bhalla  
Member, Condominium Authority Tribunal

Released on: April 8, 2024