

CONDOMINIUM AUTHORITY TRIBUNAL

DATE: July 8, 2024

CASE: 2023-00350N

Citation: Ekene v. Skakunova et al., 2024 ONCAT 99

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

Member: Anna Boudria, Member

The Applicant,

Ilobachie Ekene

Self-Represented

The Respondents,

Karina Skakunova

Self-Represented

Simcoe Vacant Land Condominium Corporation No. 423

Represented by Anna Maksimenkova, Agent

DISMISSAL ORDER

- [1] The Applicant filed a case with the Condominium Authority Tribunal (CAT) related to the assignment of a common element parking. The claim is that the Respondent, a board member, has allegedly assigned a common element parking space to herself for over two years, undermining the principles of shared access. The dispute proceeded to Stage 2 - Mediation on May 6, 2024.
- [2] On June 21, 2024, the Applicant was permitted with the opportunity to move the matter to Stage 3 - Tribunal Decision, as the mediation discussions had reached an impasse.
- [3] Under Rule 34.3 of the CAT's Rule of Practice, the CAT can close a case in Stage 2 - Mediation if the Applicant does not move their matter to Stage 3 – Tribunal Decision after having the opportunity to do so for more than 15 days.
- [4] As the Applicant was provided the opportunity to move his matter to Stage 3 – Tribunal Decision, he has not taken steps to do so or paid the fee required to move his matter forward. Therefore, I am ordering this case be closed pursuant to Rule 34.3.

ORDER

[5] The Tribunal orders that:

1. This matter is closed in Stage 2- Mediation under Rule 34.3 of the CAT's Rules of Practice.
2. Any documents and messages that have been shared for this case in Stage 1 - Negotiation and / or Stage 2 – Mediation are private and confidential. That means that the Users cannot share, or tell anyone about, messages or documents they received from other Users during these stages without the permission of other Users.
3. The Users may share a copy of any documents they received during this case if required by law, such as to a government organization or a court.

Anna Boudria
Member, Condominium Authority Tribunal

Released on: July 8, 2024