

CONDOMINIUM AUTHORITY TRIBUNAL

DATE: July 08, 2024

CASES: 2024-00296R & 2024-00384R

Citation: Clegg v. Carleton Condominium Corporation No. 382, 2024 ONCAT 98

The Applicant,

Jeff Clegg

Self-represented

The Respondent,

Carleton Condominium Corporation No. 382

Represented by Nancy Houle, Counsel

MOTION ORDER

- [1] The Applicant, Jeff Clegg, initiated the following cases against Carleton Condominium Corporation No. 382 (“CCC 382”) at the Condominium Authority Tribunal (“CAT”): 2024-00296R, 2024-00384R and 2024-00281SA. The Applicant also submitted a further Request for Records dated May 28, 2024.
- [2] The Applicant, Jeff Clegg, has requested that the CAT cases # 2024-00296R & 2024-00384R be merged.
- [3] The CAT sought submissions about merging these cases to be heard together at Stage 3.
- [4] In their submissions, the Applicant further requested to add the May 28, 2024 Request for Records as an additional issue.
- [5] In their submissions, the Respondent, CCC 382 further requested to merge 2024-00281SA.
- [6] Rule 4.1 of the CAT's Rules of Practice states that the CAT may give directions or make Orders to provide a fair, focused and efficient process in each case. Rule 18.2 states that the CAT may direct that two or more cases be heard together if the CAT believes it would be fair to do so.
- [7] Both parties consented to the merging of CAT cases # 2024-00296R & 2024-00384R.

- [8] The Applicant did not agree to merge 2024-00281SA and the Respondent did not agree to add the May 28, 2024 Request for Records as an additional issue.
- [9] I am declining to make a decision regarding the addition of the May 28, 2024 Request for Records as an issue as the Mediation of 2024-00296R has already finished and the Applicant has not yet filed an application regarding this new Request for Records. I invite the Applicant to either file a new case or present this request as a preliminary issue to the Adjudicator at the Stage 3 Hearing.
- [10] I am unable to make a decision regarding the merger of 2024-00281SA as I am not the member assigned to the case. I invite the Respondent to present this request as a preliminary issue to the Adjudicator at the Stage 3 Hearing.

ORDER

- [11] The Tribunal orders that cases 2024-00296R & 2024-00384R be heard together, pursuant to Rule 18.2 of the CAT Rules of Practice. The Adjudicator will deal with the merits of both cases in Stage 3.

Victoria Romero
Member, Condominium Authority Tribunal