

## CONDOMINIUM AUTHORITY TRIBUNAL

**DATE:** November 22, 2024

**CASE:** 2024-00227R

**Citation:** Ionescu v. York Condominium Corporation No. 222, 2024 ONCAT 173

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

**Member:** Angelique Palmer, Member

**The Applicant,**

Liana Ionescu

Self-Represented

**The Respondent,**

York Condominium Corporation No. 222

Represented by Alex Napier, Agent

### **MOTION ORDER**

- [1] The Applicant filed an application with the Condominium Authority Tribunal (CAT). The case proceeded to Stage 2 – Mediation on May 24, 2024.
- [2] Under Rule 34.3 of the CAT's Rules of Practice, the CAT can close a case in Stage 2 – Mediation if the Applicant does not move their case to Stage 3 – Tribunal Decision after having the opportunity to do so for more than 15 days.
- [3] The Applicant in this case was given the opportunity to move the case to Stage 3 on October 4, 2024.
- [4] Since I permitted the Applicant to move the case forward to Stage 3, the Applicant did not pay the fee required to move this matter to Stage 3 after more than 15 days.
- [5] The Applicant subsequently contacted the CAT requesting the right to pay the fee to transfer the matter to Stage 3.
- [6] On October 28, 2024, the Applicant was given the chance to file a motion for extension of time. A briefing schedule was set for both parties to have the chance to provide written submissions regarding this request. Submissions were received from both parties.

- [7] The Applicant requests an extension of time to pay the required fee and cites family matters and related travel as the reason for the delay.
- [8] The Respondent objects to the Applicant's request for extension of time, and requests that this case either be heard immediately or dismissed.

### **ORDER**

[9] The Tribunal orders that:

1. The Applicant's request for an extension to pay the fee to transfer this matter to Stage 3 – Tribunal Decision is granted.
2. The Applicant has 7 days from the issuance of this Order to pay the required fee.
3. Failure of the Applicant to pay the required fee to transfer this case to Stage 3 – Tribunal Decision within the time allotted will result in this case being dismissed with prejudice.
4. In the instance that this case is dismissed due to the Applicant's failure to pay the fee, this case is closed in Stage 2 – Mediation under Rule 34.3 of the CAT's Rules of Practice.
5. 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 the other User.
6. The Users may share a copy of any document they received during the course of this case if required by law, such as to a government organization or a court.

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Angelique Palmer  
Member, Condominium Authority Tribunal

Released on: November 22, 2024