

## CONDOMINIUM AUTHORITY TRIBUNAL

**DATE:** December 12, 2024

**CASE:** 2024-00695N

**Citation:** Shi v. Toronto Standard Condominium Corporation No. 2112, 2024 ONCAT 185

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

**Member:** Anna Boudria, Member

**The Applicant,**

Ming Shi

Self-Represented

**The Respondent,**

Toronto Standard Condominium Corporation No. 2112

Represented by Rohina Hashimi, 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] Toronto Standard Condominium Corporation No. 2112 ("TSCC 2112") agrees to permit the Applicant's dog, Bagel, to return to the Applicant's unit subject to the following terms and conditions:
  - a. Bagel shall be either crated, carried by hand or held on a short leash (no longer than four (4) feet) at all times while on the common element areas;
  - b. Bagel shall wear a muzzle at all times while on the common element areas;

- c. The Applicant shall immediately enroll Bagel in a training program to ensure Bagel's obedience and good behaviour. The Applicant shall deliver a letter or other documentation from a certified dog trainer confirming that Bagel is adequately trained for obedience and good behaviour in the context of condominium living by no later than May 1, 2025;
  - d. Bagel shall be crated at all times while any of TSCC 2112's agents, directors, property managers, employees, and contractors are in the Applicant's unit; and
  - e. The Applicant shall ensure that current vaccination certificates are provided to TSCC 2112 on an ongoing basis;
- [5] The Applicant agrees to permanently remove Bagel from the Applicant's unit and the condominium premises in accordance with TSCC 2112's declaration, by-laws, and/or rules, and as may be required by TSCC 2112's Board of Directors in its sole and absolute discretion, should any of the following events occur:
- a. The Applicant or any person walking or carrying Bagel loses control of Bagel;
  - b. Bagel lunges or makes aggressive contact at any person or animal, even while wearing a muzzle;
  - c. Bagel attacks and/or bites an animal or a person; and/or
  - d. There is a violation of any provision governing pets and nuisance under the *Condominium Act, 1998*, or TSCC 2112's declaration, by-laws, and/or rules.
- If the Applicant fails to remove Bagel upon one of the above-noted events occurring, or as required by TSCC 2112's Board of Directors, the Applicant consents to a court order removing Bagel from the Applicant's unit and the condominium premises, the legal costs of which will be paid by the Applicant;
- [6] The Applicant acknowledges and agrees that TSCC 2112 reserves its right to commence a legal proceeding, including a proceeding at the Superior Court of Justice, to enforce the Applicant's compliance, or the compliance of any occupant in the Applicant's unit, with the *Condominium Act, 1998*, and/or TSCC 2112's declaration, by-laws, and/or rules at the Board of Director's sole and absolute discretion;
- [7] These terms of settlement are not to be construed as an admission of fault, guilt or liability on the part of TSCC 2112; and

- [8] Upon the acceptance of the terms by all parties, this CAT Application (bearing Case Number 2024-00695N) shall be considered settled and shall be dismissed forthwith, on a without-cost basis.

### **COMPLIANCE**

- [9] 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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Anna Boudria  
Member, Condominium Authority Tribunal

Released on: December 12, 2024