

CONDOMINIUM AUTHORITY TRIBUNAL

DATE: February 5, 2025

CASE: 2025-00018R

Citation: Ward v. Peel Standard Condominium Corporation No. 1008, 2025 ONCAT 19

Order under section 1.41 of the *Condominium Act, 1998*.

Member: Ian Darling, Chair

The Applicant,
Shawn Robert Ward
Self-Represented

The Respondent,
Peel Standard Condominium Corporation No. 1008

Submission Dates: January 21, 2025, to January 28, 2025

DISMISSAL ORDER

[1] An application was submitted to the Condominium Authority Tribunal (CAT) on January 7th, 2025. The CAT proposed to dismiss this application under Rule 19.1 of the CAT's Rules of Practice for the following reasons:

1. The Applicant requested records related to correspondence between the condominium corporation and its lawyer related to ongoing litigation.
2. The Respondent refused to provide the records because they related to litigation.
3. The Applicant identified that the corporation is required to maintain records related to litigation. However, the requested records fall under an exemption set out in subsection 55(4)(b) of the Condominium Act, 1998:

“The right to examine or obtain copies of records under subsection (3) does not apply to, (b) records relating to actual or contemplated litigation, as determined by the regulations, or insurance investigations involving the corporation...”

[2] The Applicant was advised by the Tribunal that the application may have no

reasonable prospect of success because the Act is clear that the Applicant does not have the right to examine or obtain copies of such records in these circumstances.

- [3] The CAT issued a Notice of Intent to Dismiss the case. The Applicant did not respond to the Notice.

ORDER

1. The Tribunal orders the Application be dismissed under Rule 19. 1 (b) of the Tribunal rules, which establishes that the CAT can dismiss an application with no reasonable prospect of success.

Ian Darling
Chair, Condominium Authority Tribunal

Released on: February 5, 2025