

CONDOMINIUM AUTHORITY TRIBUNAL

DATE: February 20, 2025

CASE: 2024-00535R

Citation: Dibenedetto v. York Region Standard Condominium Corporation No. 1196,
2025 ONCAT 28

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

Member: Anna Boudria, Member

The Applicant,

Vince Dibenedetto

Represented by Justin Piersanti, Counsel

The Respondent,

York Region Standard Condominium Corporation No. 1196

Represented by Maria Dimakas, Counsel

DISMISSAL ORDER

- [1] The Applicant filed an application with the Condominium Authority Tribunal (CAT). It proceeded to Stage 2 – Mediation on September 4, 2024, and remained active until January 2025.
- [2] Under Rule 34.3 of the CAT's Rules of Practice, the CAT can close a case in Stage 2 – Mediation if the CAT determines that the Applicant has abandoned their matter because there has been no discussion on the CAT-ODR portal for more than 15 days.
- [3] On February 7, 2025, a Notice of Intent to Dismiss (NOID) was issued to the parties. The Applicant's legal representative did not make submissions on this issue. The Respondent's legal representative had no objections and supported closing the matter.
- [4] The CAT's Rules of Practice, requires parties to actively participate in their case, by checking the portal for communication on a daily basis, unless instructed otherwise.
- [5] Despite numerous efforts made to the Applicant's legal representative to follow up and raise any remaining issues related to the requested records that were

received, no further progress was made between the parties for over 15 days.

ORDER

- [6] The Tribunal orders that this application be closed in Stage 2 – Mediation under Rule 34.3 (d) of the CAT's Rules of Practice.

Anna Boudria
Member, Condominium Authority Tribunal

Released on: February 20, 2025