

CONDOMINIUM AUTHORITY TRIBUNAL

DATE: March 12, 2025

CASE: 2025-00130R

Citation: Leung v. Toronto Standard Condominium Corporation No. 1689, 2025 ONCAT 43

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

Member: Ian Darling, Chair

The Applicant,

Joseph Leung

Self-Represented

The Respondent,

Toronto Standard Condominium Corporation No. 1689

Submission Dates: March 3, 2025 to March 10, 2025

DISMISSAL ORDER

- [1] An application was submitted to the Condominium Authority Tribunal (CAT) on February 19, 2025. The CAT has reviewed the application and accepted the case on February 21, 2025. The Applicant was still an Owner of a unit in Toronto Standard Condominium Corporation No. 1689 when the application was submitted and accepted. On February 28, 2025, in compliance with Rule 14 of CAT's Rules of Practice, the Applicant has informed the CAT that he has completed the sale of his unit and is no longer the unit owner.
- [2] After receiving notice that the Applicant was no longer an owner, the Tribunal proposed to dismiss this application under [Rule 19.1 of the CAT's Rules of Practice](#) for the following reasons:
1. The case relates to a request for records. As per s. 55 (3) of the *Condominium Act, 1998* (the "Act"), owners, mortgagees and purchasers of condominium corporation's units are entitled to examine or obtain copies of condominium records (not exempted by s. 55 (4) of the Act).
 2. As per s. 13.3 (1) (a) of Ontario Regulation 48/01 ("O. Reg. 48/01"), a regulation under the Act, the right to examine or obtain a copy of a record

under s. 55 (3) of the Act does not apply unless “the request is solely related to that person’s interests as an owner”.

3. As the Applicant is no longer the owner, they no longer have an interest as an owner related to the records requested.

[3] The Applicant responded to the Notice and raised concerns with the Corporation’s compliance with the requirement to create and maintain adequate records. The Applicant requested that the Tribunal:

1. Investigate why the condominium corporation failed to create and maintain board meeting minutes for the January 7, 2025 meeting, as required by law.
2. Determine whether this failure constitutes a violation of the Act and order the corporation to take corrective action.
3. Issue an order requiring the condominium corporation to comply with its legal obligation to maintain board meeting minutes for all future meetings, ensuring that similar failures do not occur again.

[4] The Applicant did not address any of the proposed reasons to dismiss the case, therefore I will order the case dismissed. I also note that the Tribunal does not have the legal authority to conduct an investigation in the manner requested.

ORDER

[5] The Tribunal orders this case closed under Rule 19.1 of the CAT’s Rules of Practice.

Ian Darling
Chair, Condominium Authority Tribunal

Released on: March 12, 2025