

CONDOMINIUM AUTHORITY TRIBUNAL

DATE: April 22, 2025

CASE: 2025-00079R & 2025-00088R

Citation: Williams v. Wentworth Standard Condominium Corporation No. 439, 2025 ONCAT 62

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

Member: Ian Darling, Chair

The Applicant,

David Williams

Self-Represented

The Respondent,

Wentworth Standard Condominium Corporation No. 439

Submission Dates: February 25, 2025, to March 4, 2025

DISMISSAL ORDER

- [1] This dismissal deals with two applications submitted to the Condominium Authority Tribunal (CAT). The Applicant submitted two related cases to the Tribunal. During the process of reviewing the applications, the Applicant informed the CAT that he 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. The case is dismissed for the following reasons set out below.
- [3] According to section 1.36 (2) of the *Condominium Act, 1998*, (the "Act"), "an owner may apply to the Tribunal for the resolution of a prescribed dispute." The Applicant was an owner when they filed the application, but sold the unit before the application was approved.
- [4] The case relates to a request for records. As per s. 55 (3) of the Act, owners, mortgagees and purchasers of condominium corporation's units are entitled to examine or obtain copies of condominium records (not exempt by s. 55 (4) of the Act).

- [5] 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”.
- [6] As the Applicant is no longer the owner, they no longer have an interest as an owner related to the records requested.
- [7] The Tribunal issued a Notice of Intent to Dismiss the applications. The Applicant did not respond to the Notice.

ORDER

- [8] The Tribunal orders the applications dismissed.

Ian Darling
Chair, Condominium Authority Tribunal

Released on: April 22, 2025