

## CONDOMINIUM AUTHORITY TRIBUNAL

**DATE:** April 22, 2025

**CASE:** 2025-00057N

**Citation:** Barrese v. Toronto Standard Condominium Corporation No. 2163, 2025 ONCAT 66

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

**Member:** Ian Darling, Chair

**The Applicant,**  
Cosmo Barrese  
Self Represented

**The Respondent,**  
Toronto Standard Condominium Corporation No. 2163

**Submission Dates:** April 4, 2025 to April 14, 2025

### **DISMISSAL ORDER**

- [1] The CAT dismissed this Application under Rule 19.1 of the CAT's Rules of Practice\_for the following reasons:
- [2] This application was submitted by Cosmo Barrese under the CAT's jurisdiction related to parking and vehicles. It also relates to a chargeback for damage to the corporation's garage door. The Applicant specifically claimed that the corporation improperly charged him \$2,994 for alleged damages he caused to the corporation's garage door.
- [3] The Applicant was informed by the CAT staff that there were problems with the application. It was explained that the Tribunal has jurisdiction to hear matters that prohibit, restrict, or otherwise govern parking and vehicles as well as indemnification or compensation charges by the corporation. The Applicant was advised that he must identify a relevant provision from the corporation's governing documents that restricts, prohibits or otherwise governs Parking or Vehicles in relation to the issues raised in his application.
- [4] The application was re-submitted; however, the Applicant did not identify a relevant provision addressing the issues raised in the application. It appears that the issues do not fall within the tribunals jurisdiction as set out in Ontario

Regulation 179/17.

- [5] The dispute is about damage caused to the door, and chargebacks related to it, rather than the rules about how the parking facility is managed.
- [6] The Applicant opposed the motion to dismiss the case but was unable to demonstrate that the CAT has the legal power to hear or decide upon the dispute. I order that this case be dismissed.

**ORDER**

- [7] The application is dismissed.

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Ian Darling  
Chair, Condominium Authority Tribunal

Released on: April 22, 2025