

CONDOMINIUM AUTHORITY TRIBUNAL

DATE: May 9, 2025

CASE: 2024-00149N

CITATION: Mastrokalos v. Watson, Peel Condominium Corporation No. 95, 2025 ONCAT 77

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

Member: Ian Darling, Chair

The Applicant,

Ellen Mastrokalos

Self-represented

The Respondents,

Marianne and Matthew Watson

Self-represented

Peel Condominium Corporation No. 95

Represented by Greg Marley, Counsel

Written Submissions: April 25, 2025, to May 5, 2025

DISMISSAL ORDER

[1] This application is dismissed under Rule 19.1 of the CAT's Rules of Practice for the following reasons:

1. Stage 1 – Negotiation has been ongoing for almost a year; however, there has been no progress of negotiations between the parties in the case. Since December 2024, only the Applicant has sent messages on the CAT-ODR platform.
2. The Applicant has used profanities in their messages on the platform and has acted in a manner contrary to Rule 8.2 (e) of the CAT's Rules of Practice.
3. On March 25, 2025, the Applicant was informed by the CAT Staff of the Rules of Practice regarding their behaviour in the platform. The Applicant was informed of the option of moving the case to Stage 2 – Mediation due to the lack of progress during Stage 1 – Negotiation, and warned that failure to

do so (and in the absence of progress) could result in the CAT moving to dismiss the case.

4. Since then, the case has not been moved to Stage 2 – Mediation and there has still been no progress of negotiations.
- [2] The Tribunal issued a Notice of Intent to Dismiss the case. The Applicant responded to the Notice stating that the noise is continuing. The response also cited a number of concerns about how the corporation is governed, and how they have responded to her noise concerns.
- [3] I recognize that the Applicant is stating that the noise continues; however, the Tribunal is mandated to adopt an expeditious method to decide cases before it. It is not fair or appropriate for cases to stay in the Negotiation stage without meaningful progress toward a resolution.
- [4] The Applicant was warned of the consequences of not advancing the case through the Tribunal stages.
- [5] I conclude that the case has been filed for an improper purpose, and I order that this case be dismissed. The Applicant is permitted to file additional cases in the future; however, they must make a meaningful effort to resolve the dispute.

ORDER

- [6] The Tribunal orders the case dismissed.

Ian Darling
Vice-Chair, Condominium Authority Tribunal

Released on: May 9, 2025