

CONDOMINIUM AUTHORITY TRIBUNAL

DATE: June 25, 2025

CASE: 2025-00382N

Citation: Dhuruvasangary v. Toronto Standard Condominium Corporation No. 1532,
2025 ONCAT 107

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

Member: Ian Darling, Chair

The Applicant,

Thanuja Dhuruvasangary

Self-represented

The Respondent,

Toronto Standard Condominium Corporation No. 1532

Submission Dates: May 30, 2025 to June 9, 2025

DISMISSAL ORDER

- [1] This Order explains why this Condominium Authority Tribunal (CAT) application is dismissed under Rule 19.1 of the CAT's Rules of Practice.
- [2] The application was filed under the Tribunal's jurisdiction to deal with nuisances. The Applicant alleges Toronto Standard Condominium Corporation No. 1532 (the "Respondent") is harassing her by enforcing a rule that limits the installation of exterior security cameras. The Applicant asserts that this dispute falls under the tribunal's powers to deal with "Provisions that prohibit, restrict or otherwise govern any other nuisance, annoyance or disruption to an individual in a unit, the common elements or the assets, if any, of the corporation."
- [3] The Tribunal's jurisdiction is set out on Ontario Regulation 179/17 ("O. Reg. 179/17"), a regulation under the *Condominium Act, 1998* (the "Act").

- [4] The application does not identify a provision from the condominium corporation's governing documents that restrict, prohibit or otherwise govern the activity which is the basis for the Harassment allegation. This is relevant because the Tribunal only has jurisdiction over specific¹ nuisance disputes outlined in the regulations, and "other nuisances" that are governed by a provision in the condo corporation's governing documents as explained above.
- [5] The Tribunal identified problems in the initial application and invited the Applicant to make changes to address the concerns. The Applicant's response identifies Section 10.3 of By-law 2 as relating to Harassment. However, this provision could not be found on the copy of the governing document uploaded to the application; therefore, the CAT cannot confirm the wording of the provisions and thus whether it has jurisdiction over the dispute or not.
- [6] The Applicant was informed that the portion of the application related to the installation of the cameras and the Respondent's position that this constitutes a non-compliance with its governing documents does not constitute a Storage issue. Furthermore, the section referenced by the Applicant from the Respondent's Declaration regarding this issue is about the definition of unit. It appears that these do not fall within the Tribunal's jurisdiction.
- [7] The Applicant was informed by CAT Staff of these issues and the necessary changes required to address them. Although some issues have been clarified via messaging, the application has not been modified as instructed, and the information provided was not sufficient to confirm CAT's jurisdiction over this dispute.
- [8] The Tribunal issued a Notice of Intent to Dismiss the Application and asked the Applicant to address the concerns. The Applicant provided several responses and addendums. She asserted that the motion was unfounded. She cited several Ontario Superior Court cases related to disputes under s. 135 of the Act to support her claim that the corporation's "selective and oppressive conduct" violated her rights under the Act.
- [9] The submissions confirm that the Tribunal does not have jurisdiction to hear this case. The CAT cannot hear disputes related to s. 135 (Oppression Remedy) of the Act.

¹ As per s. 117 (2) of the Act and s. 26 of Ontario Regulation 48/01: Noise, Odour, Smoke, Vapour, Light, and Vibration.

[10] The issues that make up this dispute are not within the jurisdiction of the CAT.
Accordingly, I order that this case be dismissed.

ORDER

[11] The Application is dismissed.

Ian Darling
Chair, Condominium Authority Tribunal

Released on: June 25, 2025