

CONDOMINIUM AUTHORITY TRIBUNAL

DATE: July 10, 2025

CASE: 2025-00438R

Citation: Shapiro v. York Condominium Corporation No. 97, 2025 ONCAT 116

Order under Rule 4 of the Condominium Authority Tribunal's Rules of Practice.

Member: Ian Darling, Chair

The Applicant,

Mikhail Shapiro

Self-represented

The Respondent,

York Condominium Corporation No. 97

Represented by Tracey Stanway, Agent

Submission Dates: June 19, 2025 to June 27, 2025

MOTION ORDER

- [1] The Respondent submitted a motion to dismiss this case because the Applicant did not comply with the corporation's "established procedures" and did not follow their "proper" protocol in requesting records from the corporation.
- [2] The Applicant responded to the Motion and stated that they provided the request to a board member and used the correct form.
- [3] I have decided not to grant the Motion at this time and will allow the case to proceed. This will provide the parties with an opportunity to resolve the records at issue through the Negotiation, and if necessary, Mediation and Adjudication stages of the Tribunal.
- [4] It is not clear from the submissions that the Applicant provided the form incorrectly, or that minor variations in how the form was provided amount to sufficient reasons to dismiss the case on application.
- [5] Further, in order to determine the Respondent's motion on its merits, it would require more formal testimony and evidence. I have determined that the motion is premature, and this formality is not appropriate at this stage. If the case proceeds

to stages 2 or 3, the CAT Member handling the case may decide to hear the motion on its merits.

ORDER

[6] The Motion is dismissed. The case should proceed to Stage 1 – Negotiation.

Ian Darling
Chair, Condominium Authority Tribunal

Released on: July 10, 2025