

CONDOMINIUM AUTHORITY TRIBUNAL

DATE: October 24, 2025

CASE: 2024-00733R

Citation: Verjee v. York Condominium Corporation No. 43, 2025 ONCAT 181

Order under section 1.47 of the *Condominium Act, 1998*.

Member: Nicole Aylwin, Vice-Chair

The Applicant,

Mariam Verjee,
Self-represented

The Respondent,

York Condominium Corporation No. 43
Represented by Angie Tracey, Counsel

CONSENT ORDER

- [1] The Applicant, Mariam Verjee, and the Respondent, York Condominium Corporation No. 43 ("YCC 43" or "the corporation"), have agreed to settle the issues between them in Stage 3 - Tribunal Decision and close this case.
- [2] Under Rule 43.1 of the CAT's Rules of Practice, the CAT can close a case in Stage 3 - Tribunal Decision if the Parties agree to the CAT making a consent order that resolves the dispute.
- [3] With the consent of the Applicant and the Respondent, the CAT orders that the case between them has been resolved, based upon the terms and conditions set out in this consent order.

PREAMBLE

- [4] YCC 43 acknowledges that it did not respond to Ms. Verjee's record request dated September 1, 2024, within the 30 days required by the *Condominium Act, 1998* ("the Act"). It further acknowledges that it is required by the Act to respond to records requests pursuant to section 13.3(6) of Ontario Regulation 48/01 ("O.Reg 48/01"), which sets out the obligation for the corporation to respond to the requester of records within 30 days using the statutorily mandated form.

- [5] YCC 43 acknowledges that it should carefully review any Board's Response to Request for Records form it provides to Ms. Verjee for completeness and accuracy and that major errors in a Board's Request for Record's form ought not to be tolerated. Ms. Verjee acknowledges that minor errors in the Board's Request for Record's Response form ought to be tolerated.
- [6] Ms. Verjee acknowledges that under s. 55 of the Condominium Act, owners are entitled to records, not information. She acknowledges that not all information about YCC 43's processes and procedures will necessarily be contained in a record that the corporation is required to keep or maintain.
- [7] YCC 43 acknowledges that under O.Reg 48/01, s. 13.3(8) if the corporation determines that a fee is payable for a request for records the fee shall be a reasonable estimate of the amount required to reimburse the corporation for the actual labour and delivery costs that the corporation incurs for making the record requested available before examination or for delivering a copy of the record.
- [8] YCC 43 acknowledges that this case was filed by the Applicant in good faith to resolve issues related to the September 1, 2024, records request.

ORDER

- [9] Within 15 days of the date of this decision, YCC 43 shall provide Ms. Verjee with the following records:
 - 1. An approved and signed copy of the July 18, 2024 meeting minutes.
 - 2. A copy of the March 2024 Requisition Meeting minutes. These minutes will be clearly identified as draft.
 - 3. The August 2024 unaudited financial statements.
- [10] YCC 43 shall provide the records in paragraph 9, free of charge.
- [11] Within 15 days of the date of this Order, YCC 43 will provide Ms. Verjee with a copy of the March 7, 2024, Property Tax Bill, at no cost.
- [12] Within 15 days of the date of this Order, YCC 43 shall provide Ms. Verjee with a statement of redactions that shall specify the applicable exemption under s. 55(4) for each redaction in the June 4, 2024, meeting minutes.
- [13] Within 15 days of the date of this Order, YCC 43 shall provide Ms. Verjee with written confirmation that there is no record that outlines the process to obtain a

visitor parking sticker. If such a record does exist, YCC 43 will provide it to Ms. Verjee, at no cost, within 15 days of the date of this Order.

[14] YCC 43 will include the following text in its next set of board meeting minutes:

Regarding item 2.4 “CAT Settlement” as listed in the July 10, 2024, meeting minutes – the settlement referred to in this item refers to the settlement reached in the Condominium Authority Case # [case number to be inserted here]

[15] Within 30 days of the date of this Consent Order, YCC 43 shall reimburse Ms. Verjee for her Tribunal filing fees in the amount of \$200. The fee shall be paid to Ms. Verjee by cheque.

[16] Within 30 days of the date of the Consent Order, YCC 43 shall pay a penalty to Ms. Verjee in the amount of \$250. The fee shall be paid to Ms. Verjee by cheque.

[17] Within 30 days of the date of this decision, to ensure the Applicant does not have to pay any portion of the above mentioned penalty and filing fees, nor any legal fees incurred by YCC 43 for the purposes of this proceeding, YCC 43 shall give her a credit by way of cheque toward the common expenses attributable to her unit in the amount equivalent to her proportionate share of the above mentioned penalty, filing fees and legal fees. YCC 43 shall also provide an accompanying statement with the total amount of the legal fees which it has incurred in this proceeding.

[18] The parties acknowledge that this consent order is public and agree that this consent order may be circulated by either party to other residents and or owners of the condominium.

COMPLIANCE

[19] If any of the Parties fails to comply with any of the terms of this order, it may be enforced through the Ontario Superior Court of Justice.

Nicole Aylwin
Vice-Chair, Condominium Authority Tribunal

Released on: October 24, 2025