

## CONDOMINIUM AUTHORITY TRIBUNAL

**DATE:** November 6, 2025

**CASE:** 2025-00486N

**Citation:** Turgay v. Toronto Standard Condominium Corporation No. 2288, 2025 ONCAT 184

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

**Member:** Ian Darling, Chair

**The Applicant,**  
Aryanne Turgay  
Self-Represented

**The Respondent,**  
Toronto Standard Condominium Corporation No. 2288

**Motion Dates:** September 18, 2025, to November 5, 2025

### **DISMISSAL ORDER**

- [1] This application is dismissed because the Condominium Authority Tribunal does not have the legal authority to decide the issues in dispute.
- [2] The Application is about a dispute regarding a chargeback/lien related to compliance costs. The Respondent sought to charge costs incurred while seeking to enforce the Applicant's compliance with the Condominium Act (1998), and the corporation's governing documents. The Applicant claims the issuance of this chargeback is an unreasonable nuisance, along with the "unlawful restrictions" imposed on her "ability to access and use the common areas" and communicate with staff. The application states that the chargeback was related to costs related to enforcement following alleged violations (by the Applicant) of section 117(1) of the *Condominium Act, 1998*.
- [3] Section 117(1) prohibits any person from creating or allowing a condition or activity

to exist in a unit or common elements that is likely to damage the corporation's property or cause illness or injury to an individual. This section addresses more serious issues than a general nuisance, focusing on conduct that poses a risk to health, safety, or property. The Tribunal does not have the authority to decide disputes relating to this section of the Act.

[4] The Tribunal issued a Notice of Intent to Dismiss the Application. The Applicant responded to clarify the basis of the Application, stating that the:

application is not based on a claim under Section 117(1) of the Condominium Act, 1998 and does not require the Tribunal to interpret or apply that section in any way. My concerns relate to governance failures and improper enforcement processes, specifically that the Corporation imposed restrictions and referenced enforcement without citing any enforceable provision in its governing documents, and without following the procedures required under the Act or Declaration.

[5] The Tribunal does not have authority to deal with “governance failures.” The Application states that the Respondent’s enforcement activity was related to alleged violations of section 117(1). The Tribunal does not have authority to hear or decide issues related to these chargebacks.

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

## **ORDER**

1. The application is dismissed.

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Ian Darling  
Chair, Condominium Authority Tribunal

Released on: November 6, 2025