

CONDOMINIUM AUTHORITY TRIBUNAL

DATE: December 2, 2025

CASE: 2025-00835N

Citation: Loncar v. Waterloo Standard Condominium Corporation No. 767, 2025 ONCAT 202

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

Member: Ian Darling, Chair

The Applicant,
Dejan Loncar
Self-represented

The Respondent,
Waterloo Standard Condominium Corporation No. 767

Submission Dates: November 14, 2025 to November 21, 2025

DISMISSAL ORDER

[1] An application was submitted to the Condominium Authority Tribunal (CAT) on November 7, 2025. The CAT has reviewed the application, and proposed to dismiss this application under Rule 19.1 of the CAT's Rules of Practice for the following reasons:

1. The Applicant filed a nuisance application with the Condominium Authority Tribunal (CAT) against Waterloo Standard Condominium Corporation No. 767 (WSCC 767) ("the Respondent"). The Applicant is a unit owner in WSCC 767.
2. The Applicant alleges that the condominium corporation charged him \$811.00 after the condominium manager contacted Onyx Fire to address a complaint from the Applicant's tenant regarding the smoke detector repeatedly going off. The Applicant claims that he should have been contacted before Onyx Fire was hired. He asserts that he should not have to pay \$811.00 and requests that the corporation return the replaced smoke detector as it still had a valid 10-year warranty.
3. The CAT returned the application, explaining that the Tribunal may consider issues of indemnification or compensation only if a relevant provision exists in the corporation's governing documents and if the issues raised fall within

the Tribunal's jurisdiction under section 117(2) of the *Condominium Act, 1998* ("the Condo Act") and Ontario Regulation 179/17 ("O. Reg. 179/17"). The Applicant was advised to identify a relevant provision to the issue raised and to resubmit to application.

4. The Applicant resubmitted the application without identifying a relevant provision that would permit the Tribunal to consider the matter under clause 1(1)(d)(iv) of O. Reg. 179/17, which provides as follows:

1. (1) The prescribed disputes for the purposes of subsections 1.36 (1) and (2) of the Act are,

...

- (d) subject to subsection (3), a dispute with respect to any of the following provisions of the declaration, by-laws or rules of a corporation:

...

- iv) Provisions that govern the indemnification or compensation of the corporation, an owner or a mortgagee regarding a dispute described in this clause.

- [2] The Tribunal issued a Notice of Intent to Dismiss the case for the above reasons. The Applicant did not respond.
- [3] The dispute is outside the CAT's jurisdiction. The CAT can accept and decide on disputes related to indemnification and compensation related to issues that fall within the Tribunal's jurisdiction. This is at its core a dispute about indemnification that flows from a repair to the smoke detector. The CAT does not deal with issues related to repairs and maintenance. I order that this application be dismissed.

ORDER

- [4] The Tribunal orders the application dismissed.

Ian Darling
Chair, Condominium Authority Tribunal

Released on: December 2, 2025