

CONDOMINIUM AUTHORITY TRIBUNAL

DATE: January 23, 2026

CASE: 2025-00657R

Citation: Yang v. Toronto Standard Condominium Corporation No. 2501, 2026 ONCAT 6

Order under section 1.44 of the *Condominium Act, 1998*.

Member: Anne Gottlieb, Member

The Applicant,

Zixuan Yang

Self-Represented

The Respondent,

Toronto Standard Condominium Corporation No. 2501

Represented by Karolina Mierzwa, Agent

Hearing: Written Online Hearing – October 22, 2025 to December 29, 2025

REASONS FOR DECISION

A. INTRODUCTION

- [1] On June 30, 2025, the Applicant Zixuan Yang made a Request for Records (the “Request”), from the Respondent, Toronto Standard Condominium Corporation No. 2501 (“TSCC 2501”). The Respondent did not participate in the Stage 2 – Mediation (“Stage 2”), despite joining the case.
- [2] During the Stage 3 – Tribunal Decision (“Stage 3”), the Respondent failed to actively participate, posting only a single message on November 13, 2025. I informed the Respondent of the importance of their participation and the potential for orders to be made against them. I provided the Respondent every opportunity to participate in each step of the hearing.
- [3] The Applicant initially requested the Tribunal to order the Respondent to provide the requested records and asked for a penalty to be assessed against the Respondent for refusing to provide records without a reasonable excuse. As will be made clear from the discussion below, all the records have now been provided.

The only issues remaining for me to determine are whether a penalty should be assessed under 1. 44 (1) 6 of the *Condominium Act, 1998* (the “Act”) and whether the Applicant is entitled to any costs.

- [4] For the reasons set out below, I find that the Applicant was refused the core records, to which the Applicant was entitled, without a reasonable excuse. I award a penalty of \$750 to be paid to the Applicant under s. 1.44 (1) (6) of the Act. I further award the Applicant \$200 for the fee paid to bring this case to the Tribunal.

B. ISSUES AND ANALYSIS

- [5] On June 30, 2025, the Applicant made a Request for Records asking for the following four core records from TSCC 2501: declaration; by-laws; rules, and minutes of board meetings held within the last 12 months.
- [6] No Board Response to Request for Records (“Board Response”), was received by the Applicant as required by the Act. No records were forthcoming. The Applicant followed up by email to management on August 1, 2025, asking for an update on her Request. Still no records were provided and there was no Board Response received.
- [7] The application for this case was filed on September 9, 2025. On October 1, 2025, just prior to the conclusion of Stage 2, an email from management was received by the Applicant attaching the declaration, by-laws and rules for TSCC 2501. The minutes of board meetings requested for 12 months preceding the Request, were not provided.
- [8] On December 1, 2025, while this case was in the middle of Stage 3, I was advised by the Applicant that TSCC 2501 sent the board meeting minutes to the Applicant, directly by email.
- [9] The Applicant acknowledges that all records requested on June 30, 2025, have now been provided. However, the Applicant maintains that the records were provided only after significant delay and submits that they were provided in two separate stages, well after tribunal proceedings were underway.
- [10] The Applicant requests an administrative penalty of \$5,000, which is the maximum permitted under section 1.44 (1) 6 of the Act. The Tribunal may order a penalty if it finds that the condominium corporation has, without reasonable excuse, refused to permit an owner to examine or obtain copies of records.
- [11] I provided both parties the opportunity to make submissions on the issue of

penalty. The Respondent did not provide any submissions on the issue. In considering an amount of penalty to be awarded, I must focus on the refusal to provide the records and the fact that the Respondent provided no explanation for that refusal.

- [12] I have found that the delay in providing the records was, in effect, a refusal. That delay was not insignificant. No explanation has been offered by the Respondent. A reasonable inference from the facts in this case is that the Respondent is not aware of its obligations regarding requests for records. The imposition of a penalty may serve as a reminder to TSCC 2501 of its obligations under the Act. These were core records for which entitlement was not in question. In this instance, given that the requested records were ultimately provided, I award a penalty in the amount of \$750.
- [13] It is evident that the Applicant needed to bring this case to the Tribunal and continue through Stage 3, to obtain core records from TSCC 2501. I find that the Applicant is entitled to the costs for filing this application. I award the Applicant \$200 for filing fees, pursuant to Rule 48.1 of the Tribunal's Rules of Practice.

C. ORDER

- [14] The Tribunal Orders that:

1. Within 30 (thirty) days of the date of this Order, Toronto Standard Condominium Corporation No. 2501 is to pay Zixuan Yang the sum of \$750 as a penalty pursuant to s. 1.44 (1) 6 of the Act.
2. Within 30 (thirty) days of the date of this Order, Toronto Standard Condominium Corporation No. 2501 is to pay Zixuan Yang the sum of \$200 for filing fees, pursuant to Rule 48.1 of the Tribunal's Rules of Practice.

Anne Gottlieb
Member, Condominium Authority Tribunal

Released on: January 23, 2026