

CONDOMINIUM AUTHORITY TRIBUNAL

DATE: February 6, 2026

CASE: 2025-00959N

CITATION: Popescu v. Maple Ridge Community Management, 2026 ONCAT 17

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

Member: Ian Darling, Chair

The Applicant,

Dan Popescu

Self-represented

The Respondent,

Maple Ridge Community Management

Written Submissions: January 6, 2026 to January 12, 2026

DISMISSAL ORDER

[1] This application is dismissed under [Rule 19.1 of the CAT's Rules of Practice](#) for the following reasons:

1. This application identified Maple Ridge Community Management as the Respondent. The Applicant was informed by the CAT Staff that applications cannot be filed against condo management companies. The Applicant has not identified the condo corporation's legal name.
2. The main issue in the application relates to a noise generated when building machines are operated (such as the air conditioning system, sewer grates on the garage and garbage compactor).
3. The CAT's jurisdiction over noise nuisances is established by s. 117 (2) of the *Condominium Act, 1998* (the "Act"). As stated in that section, and further clarified by the Adjudicator in paragraph 11 of *Mishibinijima v. Simcoe Condominium Corporation No. 60 et al.*, 2024 ONCAT 144:

For a dispute with respect to this section to fall within the Tribunal's jurisdiction, then, the Applicant must allege, at a minimum, that a **person** is carrying on or permitting an **activity**, and that said activity results in the creation or continuation of a **nuisance**.

4. After being informed that the CAT cannot address nuisance caused by the operation of machinery, the Applicant resubmitted the application unchanged.
5. Further, the CAT Staff has identified other issues related to:
 - a. Lack of enough information on the Problem Description to clearly explain the issues and make it self-explanatory for future parties to the case; and
 - b. Mention to health issues resulting from the nuisance, which are covered by s. 117 (1) of the Act, which is outside of the CAT's jurisdiction as per Ontario Regulation 179/17.
6. The Applicant was advised that these issues were barriers to the case being accepted. The concerns were not addressed when the application was resubmitted.

[2] The Tribunal issued a Notice of Intent to Dismiss the case. The Applicant responded to state that the CAT was “missing the point” of the application, and that the Act establishes a right to quiet enjoyment of the property. The Applicant’s submissions did not substantively address the issues identified in the Notice, which establishes that the Tribunal has no legal authority to decide the issue. I acknowledge that there are a variety of noises – however, due to the deficiencies in the application (wrong Respondent; no person or activity creating the noise), the CAT is not the venue to address the issues.

ORDER

[3] The Tribunal orders the case dismissed.

Ian Darling
Chair, Condominium Authority Tribunal

Released on: February 6, 2026