

CONDOMINIUM AUTHORITY TRIBUNAL

DATE: February 6, 2026

CASE: 2025-00996N

CITATION: He v. Halton Standard Condominium Corporation No. 28, 2026 ONCAT 18

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

Member: Ian Darling, Chair

The Applicant,

Danni He

Self-represented

The Respondent,

Halton Standard Condominium Corporation No. 28

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. The Applicant filed a nuisance application with the Condominium Authority Tribunal (CAT) against Halton Standard Condominium Corporation No. 28 (HSCC 28) ("the Respondent"). The Applicant is a unit owner in HSCC 28.
2. The Applicant alleges the corporation charged them \$745.22 following a plumbing inspection conducted in relation to water issues affecting the unit below. The Applicant disputes the charges on the basis that the indemnification and cost-recovery provisions of the Declaration were not properly triggered, including whether the inspection costs were authorized, properly disclosed in advance, reasonable in amount, and procedurally applied.

3. The CAT returned the application explaining that, under Ontario Regulation 179/17 (O. Reg 179/17), the Tribunal can only hear disputes related to indemnification or compensation of the corporation if the issue(s) fall within the Tribunal's jurisdiction. The Applicant was given the opportunity to resubmit the application with a relevant provision to the issue raised.
4. The Applicant resubmitted the application, referring to clauses VI(1) (Maintenance and Repairs) and X (Indemnification) of the Declaration. The provisions, however, do not relate to a matter within the Tribunal's jurisdiction.
5. The Applicant relies on clause VI(1) of the declaration which specifically speaks to maintenance and repairs. Issues related to maintenance and repair fall outside the Tribunal's jurisdiction, and the Tribunal cannot consider them.
6. The Tribunal can only deal with disputes related to chargebacks if the cause of the chargeback relates to its jurisdiction. The condominium corporation is seeking to use the indemnification provisions of its governing documents to recover costs related to repairs and maintenance. The Tribunal does not have the authority to decide disputes related to this type of cost.

[2] The Tribunal issued a Notice of Intent to Dismiss the case. The Applicant did not respond to the Notice. CAT has no legal authority to decide the issue.

ORDER

[3] The Tribunal orders the case dismissed.

Ian Darling
Chair, Condominium Authority Tribunal

Released on: February 6, 2026