

CONDOMINIUM AUTHORITY TRIBUNAL

DATE: August 23, 2019

CASE: 2019-00116R

Citation: Wolfgang Pantelmann v Bruce Standard Condominium Corporation #28, 2019
ONCAT 34

Order under section 1.47 of the *Condominium Act, 1998*.

Member: Aly N. Alibhai, Member

The Applicant

Wolfgang Pantelmann

Self-Represented

The Respondent

Bruce Standard Condominium Corporation #28

Kim Little, Agent

CONSENT ORDER

- [1] The application was settled by the Applicant, Wolfgang Pantelmann, and the Respondent, Bruce Standard Condominium Corporation No. 28, in the Condominium Authority Tribunal's (the "CAT") Stage 2 - Mediation.
- [2] The Users have resolved the case in mediation as follows:
 - 1. The Respondent was to have provided to the Applicant, by August 12, 2019, electronic copies of all the records requested in the Request for Records submitted by the Applicant dated May 1, 2019;
 - a) the records were to have been provided by the Respondent to the Applicant in electronic format at no cost to the Applicant;
 - b) the records were to have been redacted as necessary by the Respondent in accordance with the provisions s.55(4) of the *Condominium Act, 1998*;
 - c) the records to have been provided by the Respondent to the Applicant included the following:
 - i. Condominium Corporation Declaration;

- ii. Condominium Corporation By-Laws;
- iii. Condominium Corporation Rules;
- iv. Records of Owners and Mortgagees;
- v. Records of Notices Relating to Leases of Units under s. 83 of the *Condominium Act, 1998*;
- vi. Periodic Information Certificates from the past 12 months;
- vii. Budget for the Corporation's current fiscal year, including any amendments;
- viii. Most recent approved financial statement;
- ix. Most recent auditor's report;
- x. The current plan for future funding of the reserve fund; and,
- xi. Minutes of the meetings of the Board for the last 12 months.

2. The Respondent will pay to the Applicant the amount of \$75.00 within thirty (30) days of issuance of the Consent Order by the CAT, such amount representing the CAT fees paid by the Applicant for the negotiation and mediation stages of the CAT process;
3. The Respondent will pay the Applicant the amount of \$500.00 within thirty (30) days of issuance of the Consent Order by the CAT; and,
4. Failure by either party to comply with this Consent Order may be enforced in proceedings brought in the Ontario Superior Court of Justice.

[3] The Applicant and Respondent have each consented to the closing of this file, as there are no further actions required to be taken in this matter in relation to the Request for Records submitted by the Applicant dated May 5, 2019.

[4] The Tribunal orders that this file be closed and that this case has been resolved by way of this Consent Order in Stage 2 - Mediation. This application cannot be re-opened.

Aly N. Alibhai

Member, Condominium Authority Tribunal

Released on: August 23, 2019