

CONDOMINIUM AUTHORITY TRIBUNAL

DATE: September 20, 2019

CASE: 2019-00131R

Citation: HiLevel International Corp. v Toronto Standard Condominium Corporation No.1858, 2019 ONCAT 38

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

Member: Nicole Aylwin, Member

The Applicant

HiLevel International Corp.

Jian Zheng, Agent

The Respondent

Toronto Standard Condominium Corporation No. 1858

Rachel Fielding, Counsel

CONSENT ORDER

- [1] The Applicant, HiLevel International Corp., and the Respondent, Toronto Standard Condominium Corporation No. 1858 (TSCC 1858), have reached an agreement to settle this case and have requested that their agreement be incorporated into a Consent Order from the Tribunal. The Applicant and the Respondent acknowledge that with issuance of this Consent Order, the case before the Tribunal will be closed.
- [2] Therefore, the Tribunal issues this Order, on the terms consented to by the Applicant and Respondent as follows:
1. The Applicant agrees to pay the Respondent a labour fee of \$30/hour for 30 hours of labour to produce the records requested in this case. These records are: the advertising expenses, social & recreation expenses and miscellaneous expenses for the period of January 1, 2017 to December 31, 2018. If the fee of \$30 includes HST, then TSCC 1858 must provide HiLevel International Corp. an invoice showing the HST number and the HST amount.
 2. The Respondent agrees to provide the records as listed in the above paragraph to the Applicant at a labour fee of \$30/hour.

3. The Applicant agrees to pay the total fee amount of \$900 requested by the Respondent prior to the production of the records.
4. The Respondent agrees to keep an accurate accounting of the number of hours required to compile and produce the records and agrees to only charge the Applicant for the actual number of labour hours it takes to compile the records. The Respondent will refund the Applicant the difference should it take less time to produce the records than the 30 hours estimated.
5. The Respondent will not attempt to collect any additional fees beyond the requested \$30/hour for the production of the examination of the request records, including but not limited to legal fees in relation to this case.

COMPLIANCE

- [3] If either the Applicant or the Respondent fails to comply with any of the terms of this order, it may be enforced by the Ontario Superior Court of Justice.

Nicole Aylwin
Member, Condominium Authority Tribunal

Released on: September 20, 2019