

## CONDOMINIUM AUTHORITY TRIBUNAL

**DATE:** September 15, 2025

**CASE:** 2025-00327R

**Citation:** Bateman v. Toronto Standard Condominium Corporation No. 2302, 2025 ONCAT 155

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

**Member:** Mary Ann Spencer, Member

**The Applicant,**

Taylor Bateman

Self-Represented

**The Respondent,**

Toronto Standard Condominium Corporation No. 2302

Represented by Maria Dimakas, Counsel

**Hearing:** Written Online Hearing – July 8, 2025 to August 27, 2025

### **REASONS FOR DECISION**

#### **A. INTRODUCTION**

- [1] The Applicant, Taylor Bateman, is the owner of a unit of the Respondent, Toronto Standard Condominium Corporation No. 2302 (“TSCC 2302” or “the corporation”). On April 2, 2025, Mr. Bateman submitted a Request for Records (the “Request”) to the corporation in which he requested electronic copies of 12 core records and 13 non-core records.
- [2] Mr. Bateman has received the core records he requested. He alleges that TSCC 2302 has refused to provide the non-core records without reasonable excuse. His position is that the corporation’s response to his Request was designed to deter him from obtaining the records, submitting that the Board Response to Request for Records (the “Board Response”) which he initially received, was both unreasonably delayed and incomplete. He further submitted that the corporation has denied him the opportunity to examine the records in person at no cost, and that the fees it cited for the provision of the non-core records are unreasonably

high. He requests that the Tribunal order TSCC 2302 to permit him to examine the non-core records at no cost other than any necessary photocopying charges. He further requests that the Tribunal order the corporation to establish a written protocol for dealing with owners' records requests, to pay a penalty for refusing to provide records without reasonable excuse, and to reimburse his Tribunal filing fees.

- [3] TSCC 2302 submits that it has not refused to provide the requested records and that the fees it estimated for their provision are reasonable given the scope of Mr. Bateman's Request. It further submits that Mr. Bateman submitted his application to the Tribunal for an improper purpose. It requests that his application be dismissed and that it be awarded its costs in this matter.
- [4] I find that the corporation has not refused to provide records without reasonable excuse and I order no penalty in this matter. However, I am ordering it to modify the fees it estimated for the provision of certain records and to provide individual estimates for three requests for legal-related records. I also order the Applicant to pay \$2,000 in costs to TSCC 2302.

## **B. ISSUES & ANALYSIS**

- [5] The issues to be decided in this matter are:
  1. Has TSCC 2302 refused to provide records without reasonable excuse? If so, should a penalty be assessed?
  2. Should costs be awarded in this matter?

### **Issue 1: Has TSCC 2302 refused to provide records without reasonable excuse? If so, should a penalty be assessed?**

- [6] The records at issue in this matter are 12 of the 13 non-core records Mr. Bateman requested in his April 2, 2025 Request. Mr. Bateman acknowledges that the corporation advised that the requested "Legal Service Agreements/Retainers" for the period Jan 1, 2016, to April 1, 2025, do not exist. I note that he submitted that the corporation should have legal retainers in place; however, whether a corporation chooses to sign legal service agreements is a governance matter which this Tribunal does not have jurisdiction to address.
- [7] TSCC 2302's Board Response indicates that, upon payment of the estimated fees, the corporation will allow Mr. Bateman to examine and/or obtain copies of the 12 non-core records, redacted as required in accordance with s. 55 (4) of the Condominium Act, 1998 (the "Act"). However, Mr. Bateman alleges that TSCC

2302 has effectively refused to provide records without reasonable excuse, characterizing its response as a “pattern of obstruction.” He cites a number of factors:

- The Board Response was unreasonably delayed
- The Board Response he initially received was incomplete and when the complete version was provided it contained mathematical errors
- The corporation did not allow for free examination of records
- The fees proposed for the provision of copies of records are unreasonable

I address each of these factors separately below.

### **Delay in Response**

[8] TSCC 2302’s condominium manager, Francisco Chavarria, acknowledged receipt of Mr. Bateman’s April 2, 2025 Request by e-mail on April 3, 2025. On April 30, 2025, Mr. Chavarria e-mailed the Board Response to Mr. Bateman. TSCC 2302 responded within the 30-day response time specified in s. 13.3 (6) of Ontario Regulation 48/01 (“O. Reg 48/01”). While Mr. Bateman may have preferred an earlier response, the corporation complied with the regulatory requirement.

### **Incomplete Response and Mathematical Errors**

[9] The Board Response form sent by e-mail to Mr. Bateman was in pdf format. Mr. Chavarria’s accompanying e-mail message stated:

Please find attached PART 1 AND PART 2 of the prescribed “Board Response to Request for Records” form.

Please make cheque for **\$4,989.83** payable to **TSCC 2302** and return the “Board Response to Request for Records” after completing the information from the requester on page #11 of the form to proceed.

Mr. Bateman submitted documentary evidence which indicates that the Part 1 pdf he received, which addressed the first seven of the non-core requests, was three pages long. The statement “Due to lack of space, pages 12 to 14 added as Part 2” is written at the bottom of the third page. None of the drop-down menus under each listed record, which would include the estimated fee for its provision, are visible or accessible. The drop-down menus for the balance of the records are visible on Part 2. Mr. Bateman noted that the fees for these records do not add up

to \$4,989.83.

- [10] Mr. Chavarria testified that he sent an 11-page Part 1 pdf to Mr. Bateman and could not explain why the drop-down menus were not visible. Counsel for TSCC 2302 requested that she be allowed to upload the files sent to Mr. Bateman in msg (e-mail) format as proof that the full 11-page Part 1 had been sent. I allowed this. However, neither I nor Tribunal staff, who accessed it at my request, were able to view an 11-page document. I note that Mr. Bateman received a copy of the full 11-page version of Part 1 of the Board Response form during the earlier stages of this case and this document was filed as an exhibit in this matter.
- [11] Mr. Bateman submitted that TSCC 2302 was using “technical incompetence as a weapon”, stating that its “intentional creation of technical barriers to complement financial ones” resulted in the denial of access to records.
- [12] I reject Mr. Bateman’s submission that the technical problem with the Board Response he initially received was intended by the corporation. I do not doubt that that Mr. Chavarria sent what he could view as an 11-page document. Nor, given the Tribunal’s experience, do I doubt that Mr. Bateman could not view 11 pages. Whether the difficulty accessing the drop-down menus on Part 1 was due to different versions of software or to embedded security protocols is unknown. What is known is that the form Mr. Bateman received clearly indicated that there should have been 11 pages, as did Mr. Chavarria’s accompanying e-mail. However, rather than contact Mr. Chavarria to resolve the issue, Mr. Bateman almost immediately filed an application with the Tribunal, testifying that because of his experience with other records requests, he had previously warned the corporation that he would do so if their pattern of obstruction continued.
- [13] I also reject Mr. Bateman’s submission that mathematical errors reflect a pattern of obstruction. He pointed out a number of individual entries where the labour time and hourly rate did not correspond to the fee and advised that by his calculation, the estimated fee for his Request total \$4,993.83, an increase of \$4.00 over the total fee calculated by the corporation. I agree that there were some mathematical errors which I address later in this decision. However, while these indicate some carelessness on the part of the corporation, I do not find them to be significant.

### **Free Examination of Records**

- [14] Mr. Bateman initially submitted that he is entitled to free in-person examination of records which the corporation failed to offer despite him asking for this in his Request. However, I note that the evidence is that he asked for electronic delivery of the records. He submitted that “section 13 (3)” of O. Reg. 48/01 entitles

requesters to free examination of records and that only a fee of 20 cents per page applies if copies are requested. Similarly, he quoted “section 13 (1)” of the regulation as stating “A corporation shall allow an owner...to examine the records of the corporation without charge...” Neither of these references to the regulation are correct; the cited provisions do not exist. A corporation is entitled to charge a fee when a non-core record is examined in person. The relevant part of section 13.3 (8) of O. Reg. 48/01 states:

13.3 (8) The fee payable for the request shall be calculated in accordance with the manner set out in the board’s response, subject to the following conditions:

1. The fee shall be a reasonable estimate of the amount required to reimburse the corporation for the actual labour and delivery costs that the corporation incurs for making the record requested available for examination or for delivering a copy of the record, which costs shall include the printing and photocopying charges established under paragraph 3 and the actual labour costs that the corporation incurs during the examination.
2. The fee shall be reasonable.
3. The board shall establish a charge of no more than 20 cents per page for printing or photocopying.

[15] In his closing submission, Mr. Bateman appeared to acknowledge that the corporation may charge for non-core records but did not substantially change his position:

While the regulation’s structure has been amended, the principle remains clear: owners have the right to inspect records, with fees limited to reasonable costs for labour and copying when copies are requested. The Corporation’s refusal to offer free or minimal-cost inspection violates this fundamental principle.

The structure of the regulation has not been recently amended. The sections I have quoted in the preceding paragraph have been in effect since November 1, 2017.

[16] The corporation is entitled to charge a fee for non-core records, regardless of how they are provided. Therefore, I reject Mr. Bateman’s argument that the corporation’s “refusal” to provide free or minimal cost inspection of records amounts to a refusal to provide records.

## **Reasonableness of Estimated Fees**

[17] Mr. Bateman submitted that the total estimated fee of \$4,989.83 (or \$4,993.83 as he re-calculated) is excessive. To support his argument, he cited the fact that in response to a cross-examination question, Mr. Chavarria stated that Mr. Bateman's requests have been the only ones the corporation has received where the estimated fees exceeded \$2,000. Mr. Bateman submitted that this is "confirmation of a system designed to deter all other owners from exercising their rights." I reject this argument; Mr. Bateman does not appear to have considered that other owners' requests may not have been as extensive as those he testified he has submitted.

[18] As set out above in paragraph 14, section 13.3 (8) of O. Reg. 48/01 states that the fee must be reasonable. The question to be addressed is whether the fees TSCC 2302 estimated for Mr. Bateman's Request are reasonable. It is important to note that the fees contained in the Board Response are only estimates. When a corporation provides a record, section 13.8 (1) of O. Reg. 48/01 requires that it also provide an accompanying statement. That statement must set out the actual cost of production and the difference between that cost and the fee it received. If the fee paid exceeds the actual cost, the corporation must provide a refund of the difference. If the actual cost exceeds the amount of the fee paid, the requester must pay the least of the (i) difference, (ii) 10% of the fee payable, and (iii) 10% of the fee paid.

[19] I address each record separately below using the numbering from Mr. Bateman's Request.

### **1. ASG Security Group Ltd. Service Contract: 2023 to 01 April 2025**

[20] TSCC 2302's Board Response indicates that the ASG Security Group Ltd. contract is kept in paper form and therefore that it will arrange a time for Mr. Bateman to examine the record in person, the option he selected on his Request should the record not be available electronically. The estimated fee is \$16.00, based on one hour's labour at the hourly rate of \$31.50. I find the hourly labour rate of \$31.50 to be reasonable and note that Mr. Chavarria testified that this rate was established by the corporation's board of directors in 2023 and is less than his actual hourly rate. However, the fee calculation is incorrect and should total \$15.75.

### **2. ASG Security Group Ltd. Invoices: 2023 to 01 April 2025**

[21] Mr. Bateman pointed out that the Board Response form indicates one hour's labour at the rate of \$31.50 for the provision of electronic copies of the AGS

Security Group Ltd. invoices but the estimated fee totals \$15.75. Mr. Chavarria testified that he entered .5 hours and the rate of \$31.50 when he completed the form. While it is unclear why the form then reads one instead of .5 hours for labour, I find the estimated fee of \$15.75 to be reasonable for invoices spanning over two years' time.

### 3. Security - Policies and Procedures: 2023 to 01 April 2025

[22] The corporation estimated a fee of \$44.70 for the electronic delivery of the security policies and procedures which it noted total 66 pages. It estimated one hour's labour would be required at the hourly rate of \$31.50. Although the fee for copies reads zero on the Board Response, the corporation apparently added a 20-cent copying fee (66 pages x \$.20 = \$13.20) in error. The Board Response indicates these records are kept in electronic form. When asked by Mr. Bateman why an electronic record would take an hour's time to produce, Mr. Chavarria acknowledged that this was an error, indicating that he had focused on "labour during the examination" when he completed the form. He did not provide a revised estimate. However, given these records would not require redaction, I find that .25 hours would be sufficient time to produce them. Therefore, I shall order the fee be revised to \$7.88, the same amount the corporation estimated for the provision of the management contract (non-core request number 11 on the Request) which the Response indicates is also kept in electronic form and which requires no redaction.

### 4. Security – Audits, Patrol Check Lists: 01 April 2024 to 01 April 2025; and

### 5. Security Incident Reports: 01 April 2024 to 01 April 2025

[23] Mr. Bateman challenged the estimated fee of \$1,588.50 for the provision of the security audits and patrol check lists on the basis that these are standardized reports. The Board Response indicates that 59 hours of work will be required to produce a total of 3,546 documents (calculated by multiplying nine reports for each of 394 days). While the Board Response does not indicate that the records would require review for redaction, Mr. Chavarria testified that they may contain information identifying owners or attachments such as photographs which would require redaction.

[24] I asked Mr. Chavarria what was typically in an audit or patrol check list and to clarify the difference between these documents and the requested security incident reports. He stated that:

These patrol checks contain details on inspections of all areas of the building. They are digital in nature and contain checkpoints all around the property.

These are delivered by email to the office three times per security shift and may contain attachments. Patrol checks are necessary to confirm that all areas are checked regularly and that deficiencies found are reported timely for remedies to be applied.

Security incident reports are written by the security person on duty when the incident occurs. There can be several incident reports done during one shift as these encompass a wide variety of matters that may occur in a condominium setting. The type of issues that trigger an incident report may include, but are not limited to water leaks, stolen items, improper garbage disposal, abusive behavior, conflicts regarding noise, pets, parking, etc.

The estimated fee for the patrol check lists is based on one minute's labour for the production of each document. I find this to be reasonable. However, I note that when he completed the Board Response, Mr. Chavarria calculated the number of days up to and including April 28, 2025, rather than April 1, 2025, the date of Mr. Bateman's Request. Therefore, I am ordering that the estimated fee be adjusted to \$1,729.35 for the production of 3,294 reports (nine daily for each of the requested 366 days).

- [25] The Board Response indicates that there were 795 security incident reports for the period "April 1, 2025, to present". The fee, which is calculated based on five minutes' labour for the review and redaction of a report, totals \$2,079.00, representing 66 hours of labour. Given Mr. Chavarria's explanation and the likelihood that the content of incident reports includes personal information about owners, I acknowledge that these will require redaction to comply with s. 55 (4) of the Act and find the estimated time per report to be reasonable.
- [26] However, as he did with the security patrol check lists, Mr. Chavarria added another month to Mr. Bateman's Request. Unlike the patrol check lists, I have no specific information before me on which to calculate the number of reports filed in the additional month. However, on the assumption that the reports are produced at the same rate throughout the year, I calculate that 735 reports would have been created between April 1, 2024, and April 1, 2025. Therefore, I am revising the estimated fee to \$1,929.38.

#### 6. Wrench It Up Work Orders, Contract, Reports: July 1, 2023 to April 1, 2025

- [27] Mr. Bateman made no specific objection to the proposed fee of \$31.50 for the production of electronic copies of the Wrench It Up records. Rather, he stated that he should be allowed to examine these in person at no cost. The corporation is entitled to charge a fee for non-core records. It estimated it would require one hour's labour to produce the records. I find this fee reasonable for records

spanning almost two years time.

8. Fine & Deo Legal – Invoices: January 1, 2016 to April 1, 2025;

9. Record of all communications and invoices between TSCC 2302 and Fine & Deo Legal relating to record requests under the condo act, noise or nuisance complaints, and CAT related matters or disputes: April 1, 2023 to April 1, 2025; and

10. Record of all communications and invoices between TSCC 2302 and Fine & Deo involving [Mr. Bateman's] unit: July 1, 2016 to April 1, 2025

- [28] The corporation estimated one “bundled” fee of \$720.00 for the three Fine & Deo Legal-related requests. The Board Response indicates this is based on 12 hours labour at \$65.00 an hour which Mr. Bateman rightly noted should in fact total \$780.00. Mr. Bateman also rightly submitted that the corporation should have provided an estimate for each of the three requests. Section 13.3 (7) of O. Reg. 48/01 states that a board’s response shall set out the fee for each record a requester has requested.
- [29] Mr. Chavarria testified that he is not legally trained, that he believes he is not qualified to review and redact sensitive legal information and therefore the corporation asked its legal counsel to perform this work. TSCC 2302’s Counsel advised him that there have been 91 legal-related matters since 2016 and provided him with the estimate included in the Board Response. Given the nature of the records, significant redaction will likely be required to comply with section 55 (4) of the Act. I find that it is not inappropriate for the corporation to seek legal expertise to prepare the requested records and that the labour rate of \$65.00 is reasonable.
- [30] Asked by Mr. Bateman why the fee was “bundled”, Mr. Chavarria stated that the total fee would have been higher if a fee had been estimated for each of the Fine & Deo Legal-related requests. Notwithstanding that there is clearly some significant overlap in the requests, the corporation should have provided an estimated fee for each of them. As a courtesy, it could then have advised Mr. Bateman that the fee would be lower if he wished to proceed with all three. I do note that the higher total amount would only apply to the fee Mr. Bateman initially paid if he decided to pursue all three requests; the overlap in the records would reduce the actual labour time, thereby resulting in a reduction in the corporation’s cost and a refund when the records were provided.
- [31] I am ordering the corporation to provide a Board Response to Request for Records setting out the fee for each of the three Fine & Deo Legal-related requests. It will

be up to Mr. Bateman to decide which, if any, of the requests he wishes to pursue. Should he decide to proceed with all three requests at the same time, the fee shall be \$780.00.

[32] I note that Mr. Bateman submitted that it would be a conflict of interest for TSCC 2302's Counsel to review and redact the records. I dismiss this concern; that TSCC 2302 asked Counsel's office to redact the documents is not inappropriate.

11. Goldview – Condominium Management Contract/Agreement: April 1, 2025

[33] Mr. Bateman made no specific objection to the estimated fee for this record. Rather, he submitted that it should be provided at no cost due to the delay in the corporation's response to his Request. I reject this argument and find the fee of \$7.88 for the production of the record to be reasonable.

12. Safety Data Sheets (SDS) for all cleaning and water services in the building: January 1, 2025 to April 1, 2025

[34] The Board Response indicates that the Safety Data Sheets are kept in paper form and that, upon payment of the fee, the corporation will arrange a time for Mr. Bateman to examine the records in person. Mr. Bateman objects to paying any fee on the basis that the *Occupational Health and Safety Act* ("OHSA") requires these to be available at all times. I dismiss this argument. It is the Act, not OHSA which applies to requests for records. The corporation is entitled to charge a fee for its labour during the examination. I find the estimated fee of \$31.50 fee to be reasonable; should less time be expended, the corporation would be required to issue a refund.

13. All engineering reports, assessments, audits and consultant reports relating to foundation repairs, structural issues, water systems and geothermal operations: 2020 to April 1, 2025

[35] The estimated fee for the provision of the above-noted records is \$189.00 representing six hours of labour. Mr. Chavarria testified that he expected that some of the requested reports would require redaction as they may include unit numbers or photographs of units. Mr. Bateman objects to the fee for a number of reasons including that the corporation did not specify the number of documents and that the records should effectively be treated as core records because they relate to core building components, an argument which I find has no merit. Given the broad scope of the request and the fact that it requests records spanning more than five years, I find the fee to be reasonable.

## Summary of Fee Amendments

[36] I am ordering TSCC 2302 to amend the estimated fees contained in the Board Response as follows:

ASG Security Group Ltd. Service Contract: \$15.75

Security - Policies and Procedures: \$7.88

Security – Audits, Patrol Check Lists: \$1,729.35

Security Incident Reports: \$1,929.38

Fine & Deo Legal-related documents (requests 8, 9 and 10): \$780

These modifications, on the assumption that Mr. Bateman chooses to pay the \$780 “bundled” fee for the Fine & Deo Legal-related requests, result in a total estimated fee of \$4,737.99. I note that this total will increase given I am ordering the corporation to produce a Board Response to Request for Records estimating the fees for each of the three Fine & Deo Legal-related requests.

## Conclusion

[37] TSCC 2302’s Board Response to Mr. Bateman’s Request for Records indicates that it was prepared to provide all of the requested non-core records subject to their redaction in accordance with section 55 (4) of the Act.

[38] Mr. Bateman submitted that TSCC 2302’s response to his request was a “pattern of obstruction” designed to frustrate his access and that this amounted to an effective refusal to provide records without reasonable excuse. He requests that the Tribunal order a penalty of \$4,993.83, equal to the amount he re-calculated as the total of the fees requested by the corporation. He also requests that I order the corporation to prepare a written protocol for dealing with owners’ requests for records.

[39] The Tribunal may order a penalty if it finds that a corporation has refused to provide records without reasonable excuse. I have found that Mr. Bateman’s arguments are without merit. TSCC 2302 provided the Board Response within the prescribed time period. I have also found that the technical and mathematical issues with the Board Response were unintentional and could have been easily resolved had Mr. Bateman contacted Mr. Chavarria. O. Reg. 48/01 provides for fees for the production of non-core records; it does not state that owners are entitled to free examination of the records as Mr. Bateman submitted. Finally, while I am ordering some fees to be modified to correct some calculation errors in the

Board Response, I have found the fees to be reasonable. For these reasons, I find that there has been no refusal to provide records and there is no reason to order a penalty.

- [40] I also find that the corporation responded properly to Mr. Bateman's Request and that there is no reason to order it to prepare a written protocol setting out its procedures for responding to owners' requests for records.

### **Issue 2: Should costs be awarded in this matter?**

- [41] Mr. Bateman requests reimbursement of the \$200 he has paid in Tribunal fees. TSCC 2203 requests costs of \$30,512.83 in respect of the legal fees it has incurred in this matter.
- [42] The award of costs is discretionary. Section 1.44 (2) of the Act states that an order for costs shall be made in accordance with the rules of the Tribunal. The cost related rules of the Tribunal's Rules of Practice applicable to this case are:

48.1 If a Case is not resolved by Settlement Agreement or Consent Order and a CAT Member makes a final decision, the unsuccessful Party will be required to pay the successful Party's CAT fees unless the CAT member decides otherwise.

48.2 The CAT generally will not order one Party to reimburse another Party for legal fees or disbursements ("costs") incurred in the course of the proceeding. However, where appropriate, the CAT may order a Party to pay to another Party all or part of their costs, including costs that were directly related to a Party's behaviour that was unreasonable, undertaken for an improper purpose, or that caused a delay or additional expense.

- [43] Mr. Bateman brought his application to the Tribunal seeking a waiver or adjustment of fees and an order for what he described as "lawful on-site inspection" of records. While I am ordering the corporation to modify some of the fees it estimated for the provision of the records he requested, he was unsuccessful in this matter as I have found that the corporation has not refused to provide records without reasonable excuse. Therefore, I am not ordering reimbursement of his Tribunal fees.
- [44] TSCC 2302's Counsel submits that the corporation should be awarded its costs on a full indemnity basis because Mr. Bateman brought this matter to the Tribunal for the improper purpose of obtaining the records he requested at no cost. Further, she submitted he knowingly submitted false information to the Tribunal, referring to his citing non-existent sections of O. Reg. 48/01. Costs not awarded by the

Tribunal will form part of a corporation's expenses and be paid by all its owners; Counsel argues that TSCC 2302's owners should not be penalized in these circumstances.

- [45] In considering whether costs should be awarded in this case, I am guided by the "Tribunal's Practice Direction: Approach to Ordering Costs" which, among the factors to be considered, includes: the conduct of all parties and representatives; whether the parties attempted to resolve the issue in dispute before the CAT case was filed and the potential impact an order for costs would have on the parties.
- [46] I do not find that Mr. Bateman filed his case with the Tribunal for an improper purpose. While his submissions did focus on his apparent belief that he was entitled to free examination of non-core records and did refer to non-existent sections of O. Reg. 48/01 to support that argument, he had the right to challenge the reasonableness of the fees estimated by the corporation.
- [47] However, Mr. Bateman's submissions were lengthy and addressed issues other than the reasonableness of the fees. They included sections about past records requests that were not in evidence in this matter, potential cost recovery by the corporation, and what he perceived to be TSCC 2302's Counsel's conflict of interest. He also made submissions about the technical problem with Part 1 of the Board Response and the mathematical errors it contained, issues that likely would have been resolved had he simply contacted Mr. Chavarria when he received the Board Response.
- [48] While I acknowledge that costs not awarded will ultimately be paid by all owners of TSCC 2302, Rule 48.2 of the Tribunal's Rules of Practice is clear that the Tribunal will not generally award legal fees. In the circumstances of this case, while the issue of the reasonableness of fees was legitimately before me, Mr. Bateman's inclusion of other issues in his submissions undoubtedly caused the corporation to incur additional legal costs in order to respond to them. Therefore, I am exercising my discretion and am ordering Mr. Bateman to pay \$2,000 in costs to TSCC 2302.

### **C. ORDER**

- [49] The Tribunal Orders that:
  1. Within seven days of the date of this decision, TSCC 2302 shall provide a Board Response to Request for Records to Taylor Bateman setting out the fee for each of the following records requested in his April 2, 2025 Request for Records, collectively referred to as the "Fine & Deo Legal records":

- (a) Fine & Deo Legal – Invoices
- (b) Record of all communications and invoices between TSCC 2302 and Fine & Deo Legal relating to record requests under the condo act, noise or nuisance complaints, and CAT related matters or disputes
- (c) Record of all communications and invoices between TSCC 2302 and Fine & Deo involving [Mr. Bateman's] unit

2. TSCC 2302 shall modify the estimated fees set out in its Board Response to Mr. Bateman's April 2, 2025 Request for Records as follows:

- (a) ASG Security Group Ltd. Service Contract: \$15.75
- (b) Security - Policies and Procedures: \$7.88
- (c) Audits, Patrol Check Lists: \$1,729.35
- (d) Security Incident Reports: \$1,929.38
- (e) Fine & Deo Legal records: \$780. This fee shall apply only if Mr. Bateman elects to pay for all three records at the same time.

3. TSCC 2302 shall provide the requested records within 30 days of the date of receipt of the applicable fee.

4. With each of the records it produces, TSCC 2302 shall provide the accompanying statement required by s. 13.8 (1) of O. Reg. 48/01. The statement shall include the actual cost of producing the records. TSCC 2302 shall include payment of the difference if its actual cost is less than the fee Mr. Bateman paid and/or indicate any additional amount Mr. Bateman is required to pay if the actual cost exceeds that fee.

5. Within 30 days of the date of this decision, Taylor Bateman shall pay \$2,000 in costs to TSCC 2302.

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Mary Ann Spencer  
Member, Condominium Authority Tribunal

Released on: September 15, 2025