



# Lunch and Learn

## Let's Chat about the CAT!

Wednesday, February 16, 2022

Hosted by:

Nancy Houle, Davidson Houle Allen LLP

Melinda Andrews, Davidson Houle Allen LLP

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# Lunch and Learn

## Let's Chat about the CAT!

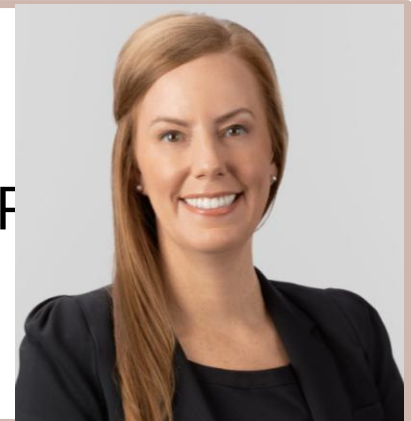
Wednesday, February 16, 2022

### Hosts

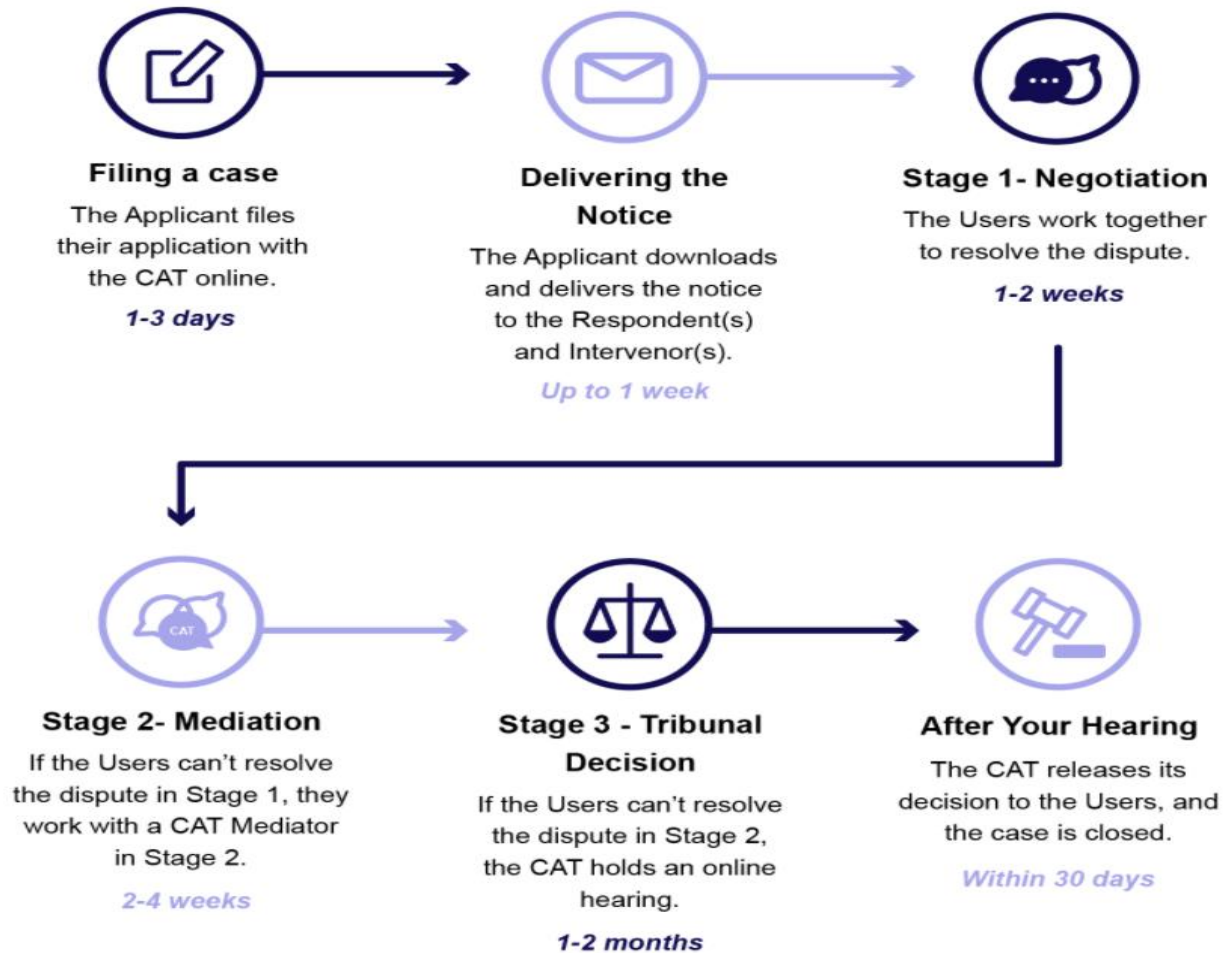
**Nancy Houle,**  
Davidson Houle Allen LLP  
Condominium Law



**Melinda Andrews,**  
Davidson Houle Allen LLP  
Condominium Law



# The CAT's Process



# The CAT's Jurisdiction

- The CAT's jurisdiction has seen several expansions over the last two years.
- Initially, the CAT only heard disputes relating to **records requests**
- As of October 1, 2020, that expanded to include disputes regarding:
  - **Pets;**
  - **Parking;**
  - **Storage.**
- As of January 1, 2022, this jurisdiction will expand again to include **nuisance** (noise, smell, smoke, vapour, light, vibration)

# The CAT's Jurisdiction

- CAT's powers may go further than you think:
- Since its jurisdiction expanded, the CAT has made findings and orders:
  - Evicting pets (even service animals)
  - Determining the validity of declaration amendments; and
  - Finding that a condominium's policy was in fact a rule.
- The CAT has also made significant orders with respect to legal costs

# The CAT and Legal Costs

- Recovery of CAT process legal costs are generally non-existent or low (CAT's position is that they will only awards legal costs if there are "exceptional reasons to do so")
- Recovery of pre-CAT legal costs are still uncertain, but we are now seeing the CAT apply indemnification provisions and allow for recovery of pre-CAT legal costs



# Representation at the CAT

## Key Issues to consider when determining representation at the CAT

- Ensuring that the Corporation's interests are fully protected, and the Board/Management does not attract liability for such representation
- Complexity of the Case and whether specific training, qualifications, experience may be required
- Costs and cost recovery

# How Does My Building Work?

Wednesday, March 23, 2022

Wednesday, March 23, 2022

5pm – 7pm

Registration Open Now

Lunch & Learn

# Budget Bites

Wednesday, April 6, 2022

WEBINAR - 12:00pm - 12:45pm



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Wednesday, April 6, 2022

12pm – 12:45pm

Registration Open Now

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Eastern Ontario Chapter



# Don't Go Chasing Waterfalls ... or Windows

Wednesday, April 27, 2022

Wednesday, April 27, 2022

5pm – 7pm

Registration Open Now



# Condo Myth-conceptions

Wednesday, June 8, 2022

Wednesday, June 8, 2022

5pm – 7pm

Registration Open Now



# We Need Your Feedback!

## Please fill out the survey following the event

## Thank you!