

Preparing for Stage 1 – Negotiation: A User Guide

This guide is for Users of the Condominium Authority Tribunal’s Online Dispute Resolution System (CAT-ODR). It helps Users understand what they should do in Stage 1 – Negotiation and provides guidance on how to use the CAT-ODR system.

Note: Images included in this guide may be slightly different than those in the system.

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The Purpose of Stage 1 - Negotiation

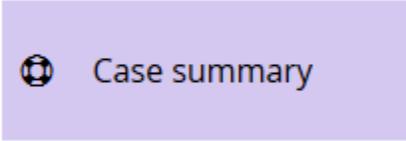
In Stage 1 – Negotiation, the Users will work collaboratively to resolve the issues in dispute. The Tribunal’s online system gives Users the ability to exchange settlement offers, messages, and documents to resolve the case.

The Five Tabs

Once you log-in to the CAO’s website and access your case in the CAT-ODR system, you will see five menu tabs along the top of the screen. You can click on each of these options to access that tab. You can find more information on each of the tabs in the different sections of this guide.



Tab 1: Case Summary

A purple rectangular button with a white icon of a document with a magnifying glass on the left and the text "Case summary" on the right.

What Is It?

This tab provides an overview of your case, including...

- The names and contact information for Users and their representatives (if any)
- A description and details of the subject matter of your case (referred to as the “Claim Description”)
- Which Stage your case is in
- Whether you have any related cases

Why Do I Use It?

You can use this tab to review the information described above, or to update your contact information or representative.

How Do I Use It?

If your contact information or your representative changes, you can update the information on this tab:

- If you want to change the contact information for one of the Users, use the “Update Applicant’s Info” or “Update Respondent’s Info” button.
 - **Note:** You cannot change the information of the other User or their representative.
- If you want to add or remove a representative, use the “Manage Representatives” button.

A dark blue rectangular button with the text "Update Applicant's info" in white.A dark blue rectangular button with the text "Manage Representatives" in white.

Tab 2: Message Centre



What Is It?

The Message Centre is where you exchange messages with the other User in your case.

Why Do I Use It?

This tab allows you to communicate with the other User by sending messages. The Message Centre is a useful way for you to communicate with the other User in your case. For instance, you may want to use the Message Centre tab to discuss the issues and potential ways you can resolve them before making a settlement offer.

How Do I Use It?

Messages are posted in threads called Topics. You can see a list of the existing Topics on the left side of the tab, and you can access any of the Topics by clicking on its name. You can also create a new Topic by clicking on the "Create new Topic" button.



When you post a message in the Message Centre, the other User will receive an email notification prompting them to log in and review your message.

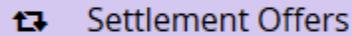
Important Notes:

- After you post a message, you cannot change or delete it.
- There is a 9,000 character limit for each message.
- All communications posted in the Message Centre tab are private and confidential.



User Tip: Your choice of words may influence how the other User in your case responds or participates in the negotiation process. Keep your communications respectful and positive. Do not use the case or the CAT-ODR system to insult or attack the other User.

Tab 3: Settlement Offers

A purple rectangular button with a white icon of a document with a double-headed arrow and the text "Settlement Offers" in white.

What Is It?

On this tab, the Users can send settlement offers to one another, and review and respond to offers made by the other User.

Why Do I Use It?

You can use this tab to send a settlement offer to the other User, or to review a settlement offer that another User has sent to you.

If a User accepts another User's settlement offer, both Users will receive an automatically generated settlement agreement. That settlement agreement will resolve the dispute and the case will be closed. This means that the case will not proceed to Stage 2 – Mediation or Stage 3 – Tribunal Decision.

How Do I Use It?

Each User can make their own Settlement Offer and can update their settlement offer at any time. You can use this tab to:

- Make a Settlement Offer
- Update your Settlement Offer
- Review and/or accept the other User's Settlement Offer

When you make a Settlement Offer, you will get to preview a copy of the draft Settlement Agreement that you and the other User will get if they accept your offer. Review this document carefully before you finalize your offer.



User Tip: You can only resolve your dispute in Stage 1 – Negotiation if Users agree to a settlement offer. Keep this in mind while you draft settlement offers, because your choice of words can have a big impact on how the other User may feel about your offer.

Checklist for Making or Accepting a Settlement Offer

Before you make or accept a Settlement Offer, you should consider...

Does the Settlement Offer clearly describe what will happen?

A good Settlement Agreement should make sense on its own. It should be clear and descriptive, and identify exactly who will be responsible for what, and include details, deadlines, and timelines for any further steps to be taken.

Does the Settlement Offer address all the issues in dispute?

By accepting a settlement offer, the Users agree that they have resolved all the issues in dispute. If a User accepts the other User's settlement offer, the CAT-ODR system will automatically close the Case.

For this reason, it is important to make sure that the settlement offer addresses all of the issues in dispute.

Have you reviewed the standard language included in the Settlement Agreement, including under the "Acknowledgement," "Compliance," and "Privacy & Confidentiality" headings?

By making or accepting a settlement offer, you accept these terms:

Acknowledgement

We, the Users, agree that this Settlement Agreement fully resolves the issues in dispute. We understand that the case will be closed, and we also understand that this Settlement Agreement can only be changed if both the Applicant and Respondent agree to the changes in writing.

Compliance

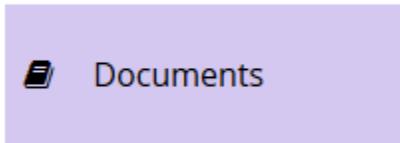
If either the Applicant or Respondent fails to comply with this Settlement Agreement, then the other User is entitled to file a case with the CAT for an order requiring compliance with this Settlement Agreement. That case must be filed within six months of when the terms of the Settlement were broken.

Privacy and Confidentiality

This Settlement Agreement is confidential, meaning the Users are not allowed to share it with others, or tell others about the details of the settlement without the permission of the other User. The Users may share a copy of any document they received if required by law, such as to a government organization or a court.

Any documents submitted through the CAT's online system are also confidential. This agreement, and any communications or documents related to this case, will not be made public by the CAT.

Tab 4: Documents



What Is It?

This tab lets you access the documents or files that have been uploaded to the case.

You can use it to add your own documents or files here or download the documents or files that other Users have added.

Important Note: Documents uploaded to this tab can be seen by all Users.

Why Do I Use It?

You can use this tab to review documents added by other Users, or to add documents that you may be useful while you negotiate.

Documents uploaded in Stage 1 – Negotiation will also be available to the Users (and the Mediator) in Stage 2 – Mediation. As required by the [CAT Rules of Practice](#), these documents are private and confidential (meaning they can't be shared with anyone without consent of the other User, even after the case is closed).

How Do I Use It?

If you want to access (download) a document, simply click on the “Download” button next to any of the documents.

If you want to add (upload) a document:

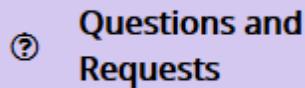
1. First click on the “Add Document” button located in the lower-left of the screen.
2. Click on “Browse,” and then choose the document you want to upload.
3. Provide a Document Name and Description in the boxes.
4. Click on the “Add Document” Button.



User Tip: You can upload the following file types: PDF, DOC, DOCX, TXT, JPEG, PNG, GIF, TIFF, MP3 or MP4.

If you want to edit a document, you can click on the “Modify” button. This allows you to change the name or description of a document. If you want to change the content of a document, you should delete the document entirely and then add a new document.

Tab 5: Questions and Requests



What Is It?

In Stage 1 – Negotiation, you can use this tab to communicate with CAT staff.

Why Do I Use It?

You can use the Questions and Requests Tab if you need technical assistance from CAT staff, or if you would like to report abusive behavior by the other User.

If you are the Applicant, you can also use this tab to withdraw your case, or to move the case forward into Stage 2 - Mediation.



User Tip: Only the Applicant can withdraw the case or move it to the next stage.

How Do I Use It?

Simply click on one of the four options available:

- 1. Withdraw my case (Applicant only)**
 - Use this button if you want to close your case. If you close your case this way, it will not be re-opened in the future.
- 2. Move to Stage 2 - Mediation (Applicant only)**
 - Use this button to move your case forward to Stage 2 – Mediation. If you click on this button, you will be asked to pay the \$50 fee for Stage 2, after which the CAT will assign a Mediator to your case.
 - Please note that once the case has moved into Stage 2 – Mediation, you cannot go back to Stage 1 – Negotiation.
- 3. Report Abuse**
 - Use this button to notify the CAT that the other User is behaving inappropriately (e.g., if the other user is being aggressive, threatening, or using profanity).
- 4. Ask CAT staff a question**
 - Use this button to send a question to CAT Staff (e.g., if you have a question about how to use the system or about the process). These questions cannot be seen by the other User.



User Tip: In Stage 2 – Mediation and Stage 3 – Tribunal Decision, you can also use this tab to send a request directly to the CAT Member assigned your case. The other User(s) will be able to see any requests that you send to a CAT Member through this tab.

Have Questions?

If you have any questions, please contact us directly:

- Phone – Local: 416-901-9356
- Phone – Toll-Free: 1-(800) 854-9014
- Email: CATinfo@condoauthorityontario.ca