

Condominium Authority of Ontario

Public Complaints Policy

1.0 Purpose

This Policy sets out the Condominium Authority of Ontario's two stage complaints review process to respond to complaints from the public about the conduct of Condo Authority staff, Condo Authority Services or the conduct of a member of the Tribunal.

Inquiries regarding local condo board governance or issues within a condominium corporation should be directed to the CAO's Information Services Team through the [Contact Us page](#).

Inquiries about the conduct of a condo manager or condo management company should be directed to the [Condo Management Regulatory Authority of Ontario](#).

Appeal or request for review of adjudicative decisions or orders by Condominium Authority Tribunal Members on an error in law must be made to Divisional Court.

2.0 Definitions

- (a) "Condo Authority" means the Condominium Authority of Ontario
- (b) "Condo Authority Services" means all information services, online resources and digital solutions, for example, website content, director training program, guides, tribunal system and operations, condo returns, forms, etc.
- (c) "Tribunal" means the Condominium Authority Tribunal
- (d) "Tribunal Member" means a current or former Tribunal member of the Condominium Authority Tribunal
- (e) "Complaint" means a written inquiry that meets the criteria of the complaints policy regarding current or past Condo Authority staff or Tribunal member conduct that occurred in the past 60 days, or with Condo Authority services delivered under its mandate
- (f) "Complaints Officer" provides a first-level review of inquiries against the criteria in the policy and provides administrative support to the Deputy Registrar, Tribunal Chair and Ethics Executive
- (g) "Deputy Registrar" is responsible for the Condo Authority's Complaints Policy and administration of the processing of the complaints
- (h) "Staff" means a current employee of the Condominium Authority of Ontario at the time of the conduct described in the complaint

- (i) “Ethics Executive” means the Chair of the Board who is responsible for reviewing any complaints raised against the CEO & Registrar or Tribunal Chair.

3.0 Background

Launched in September 2017, the Condo Authority remains focused on our vision for a strong and vibrant condominium sector in Ontario. The Condo Authority supports and protects condo owners and directors and strives to engage and empower condominium communities across the province through its digital service delivery model, which provides users access to information, education and dispute resolution.

4.0 Objectives

In considering and resolving complaints, the Condo Authority and the Tribunal are committed to a process that:

- Reviews all inquiries related to Condo Authority staff or Tribunal member conduct and Condo Authority services against the complaints criteria
- Uses a process that is fair to all participants (e.g. the complainant, Condo Authority staff or Tribunal members)
- Works to prevent similar complaints
- Demonstrates that the Condo Authority and the Tribunal are responsive and committed to providing high-quality services
- Considers fair and reasonable outcomes
- Maintains and appropriately safeguards the adjudicative independence of Tribunal member decisions.

5.0 Making a Complaint

Anyone can make a complaint about the conduct of Condo Authority staff, Condo Authority services or the conduct of a member of the Tribunal.

To file a complaint relating to Condo Authority staff, Condo Authority services, or Tribunal member conduct, send the following information to the attention of the Complaints Officer:

By email at: CAOcomplaints@condoauthorityontario.ca

By mail at: Complaints Officer, Condominium Authority of Ontario, P.O. Box 69038, RPO, St. Clair Centre, Toronto, Ontario, M4T 3A1

- The words “Formal Complaint” in the Subject (if sent by email) or at the top of the first page (if sent by mail)
- Complainant name and email address or mailing address

- The name of the relevant Condo Authority staff, Condo Authority service or Tribunal Member to which the complaint relates including date and time of, or copies of any correspondence related to, the event where applicable if related to a complaint about conduct
- The Tribunal case number if the complaint is about the conduct of a Tribunal Member or the Tribunal Chair during a case.

Inquiries sent by email will receive an automatic reply confirming receipt and indicating that the Complaints Officer will respond within five business days and will inform the complainant of its status within 15 business days, with a target of responding to the complaint within 30 business days. Responses to complaints sent by mail will be mailed out within 30 business days of the time of receipt. If the Condo Authority or Tribunal Chair is unable to provide a response to the complaint within that time, the complainant will be contacted about when a response can be expected.

If an accommodation is needed to file a complaint, please advise the Complaints Officer who will work with you to find an acceptable means for submitting your complaint.

6.0 Stage 1: Complaints Officer Review

Upon receipt of the information outlined in 5.0, the first stage review is conducted by the Complaints Officer to determine whether it meets the following criteria for a complaint:

- Inquiries regarding the conduct of a Condo Authority staff member or Tribunal member that occurred within the past 60 days
- Inquiries regarding services that the Condo Authority has the mandate and jurisdiction to deliver (see the definition of “Condo Authority Services” in Section 2.0 for examples)

The Complaints Officer’s review will not consider the following matters as complaints, as they do not meet the criteria:

- Has already been addressed through a previous complaint
- Is related to local condo board governance or questions about the complainant’s condominium corporation (these types of requests should be directed to the [Contact Us page](#))
- Is related to conduct of a Tribunal member and the complainant was not a party or representative involved in the case
- Is related to and/or is a request to review, appeal or dispute an adjudicative decision or order or direction by a Tribunal Member exercising their authority as outlined in the CAT Rules and does not relate to Tribunal member’s conduct
- Is related to an active case before the Tribunal. If so, the review will be deferred until the case is closed
- Is related to the conduct of a condo manager or condo management company (these types of requests are to be directed to the [Condo Management Regulatory Authority of Ontario](#))

If the inquiry does not meet the criteria for a complaint, the Complaints Officer will inform the complainant and provide the written reason(s).

If the Complaints Officer requests additional information during the review process, the submission will be considered abandoned if the complainant does not respond within 15 business days.

The CAO encourages informal and early resolution of complaints about CAO services where possible. For example, the Complaints Officer where appropriate may refer a complainant's issue to a specific department to contact the complainant to try to address their concerns directly.

7.0 Stage 2: Responding to a Complaint

7.1 Complaints about Condo Authority Staff or Services

At Stage 2, an inquiry that meets the criteria for a complaint about Condo Authority staff or services will be reviewed by the Deputy Registrar who will:

- Review the details of the complaint and, as appropriate, contact the staff, their manager or Director of the business area as appropriate about which the complaint was made to gather information.
- As needed, request additional information from the complainant
- Prepare a written response to the complainant, which will clearly set out the resolution and the rationale, preserving confidentiality as necessary
- Share a copy of the response with the staff member, manager and Director

In considering possible resolutions, the Deputy Registrar may recommend:

- Making changes to policies, practices and procedures
- Training, information updates or other recommendations for individual staff or staff as a whole
- Additions, changes, or enhancements to Condo Authority information or services
- Determine if any other actions are required, based on the specifics of the issue

If a complaint relates to the conduct of the Deputy Registrar, the CEO & Registrar will conduct the review. If a complaint relates to the CEO & Registrar, the Chair of the Board, as the Ethics Executive, will conduct the review or may assign or request support from a delegate regarding the review process and/or drafting a written response.

The Complaints Officer will maintain a record of the complaint, including the resolution as determined by the Deputy Registrar, and will record for future review as part of Condo Authority's client-focused service commitment. Records will be retained for three years.

7.2 Complaints About a Tribunal Member

At Stage 2, an inquiry that meets the criteria for a complaint about a Tribunal Member will be reviewed by the Chair of the Tribunal who will:

- Review the details of the complaint and, as appropriate, contact the Tribunal member about whom the complaint was made
- As needed, request additional information from the complainant
- Prepare a written response to the complainant, which will clearly set out the resolution and the rationale, preserving confidentiality as necessary
- Share a copy of the response with the Tribunal member

In considering possible outcomes, the Chair of the Tribunal may recommend:

- Changes to Tribunal practices and procedures
- Training, information updates or other recommendations for the Tribunal member or Tribunal members as a whole
- Determine if other actions are required, based on the specifics of the issue

If a complaint relates to the conduct of the Chair of the Tribunal, the Chair of the Board, as the Ethics Executive, will conduct the review or may assign or request support from a delegate regarding the review process and/or drafting a written response.

The Complaints Officer will maintain a record of the complaint, including the resolution as determined by the Chair of the Tribunal, for future review as part of Tribunal’s client- focused service commitment. Records will be retained for three years.

8.0 Review of Policy

This Policy will be reviewed at regular intervals, and no less than once every three years to ensure that it continues to effectively serve its intended purpose.

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