

Delivering Notices: A User Guide

cat Condominium Authority Tribunal

This guide is for Parties of the Condominium Authority Tribunal's Online Dispute Resolution System (CAT-ODR). It helps Parties understand who should be invited to a CAT case, and how to invite these people using the CAT-ODR system.

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

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CAT Notices

Once the CAT accepts your application, your next step is to deliver the Notice to all Respondents (and to all Intervenors, if any). The Notice lets the other parties know you have filed a case with the CAT. It also includes instructions they will need to join the case and begin the dispute resolution process.

Applicants can download Notices from the CAT-ODR system.

Each Notice contains a unique code that Respondents and Intervenors must use to access the case online.

If an application includes more than one Respondent or if it includes an Intervenor, each Notice will be unique and must only be provided to that party. Make sure that you download each Notice separately, as the CAT creates personalized notices for each Respondent and Intervenor

Who needs to be notified of a CAT case?

Applicants are required to download and deliver a Notice to each **Respondent** and each **Intervenor**. Applicants are required to identify the Respondent(s) and Intervenor(s) when they file their application.

The CAT-ODR system only provides notices for the individuals you identified when your case was accepted by the CAT. After being accepted, no additional individuals can join a case as a Respondent or Intervenor.

Emailing Notices

If you provided an email address for the Respondent(s) and/or Intervenor(s) when filing your application, the CAT-ODR system will automatically send a Notice to them at the email address you provided.

If they join with the case using the email Notice, that's great! If this happens, you don't need to worry about delivering a paper copy of the Notice.

If they don't join, however, you are still required to deliver a paper copy of the Notice in-person or by regular mail, as set out in the CAT's Rules of Practice. This is why we recommend that you download and deliver a paper copy of the Notice as soon as possible.

Downloading Notices

Once your application has been accepted by the CAT, you can download the Notices by accessing your case in the CAT-ODR system.

Once you access your case in the CAT-ODR system, you will see four menu tabs along the top of the screen. You can download your CAT notices under the "Notify Respondent" tab.



The Notify Respondents tab will look a bit different depending on whether your case has just one Respondent (i.e., a Two-party Case), or whether there are multiple Respondents / Intervenors (i.e., a Multi-Party Case):

Two-Party Case

Download and confirm delivery of the Notice of Default Proceeding

☐ Step 1: Download the Notice of Default Proceeding (Final Letter)

Download

☐ Step 2: Confirm how you delivered the Notice of Default Proceeding to the Respondent

Confirm

☐ Step 3: Pay fee and proceed to Stage 3 - Tribunal Decision

Proceed to Stage 3 - Tribunal Decision

In two-party cases, you only have to download and deliver a Notice to one other party

Multi-Party Case

Respondent					
Contact info ⓘ	Email notice ⓘ	First notice ⓘ	Second notice ⓘ	Final notice ⓘ	Respondent Status ⓘ
Alex Pines Mailing Address 1 Yonge Toronto, Ontario, A1Q1Q1	✓ A courtesy email was automatically delivered by the CAT system on 2020-10-05	<div><input type="checkbox"/> Download <input type="checkbox"/> Confirm Delivery</div>	You must wait the full waiting period of the First Notice before you can take the next step	You must wait the full waiting period of the Second Notice before you can take the next step	Has not joined yet

Intervenor					
Contact info ⓘ	Email notice ⓘ	First notice ⓘ	Second notice ⓘ	Final notice ⓘ	Intervenor Status ⓘ
Condo Corp 1234 Mailing Address 123 Green St. Unit 109 Mississauga, Ontario, L5L5L5	✓ A courtesy email was automatically delivered by the CAT system on 2020-10-05	<div><input type="checkbox"/> Download <input type="checkbox"/> Confirm Delivery</div>	You must wait the full waiting period of the First Notice before you can take the next step	You must wait the full waiting period of the Second Notice before you can take the next step	Has not joined yet

In Multi-Party Cases, you, you must download and deliver a Notice to multiple parties

To download a notice, simply click on the “Download” button and select the Notice’s language (English or French).



Party Tip: CAT notices are unique to each Party. You cannot give a Party someone else’s notice. Make sure you keep track of who each Notice must be given to, and only give that Notice to that party.

Delivering Notices

How you can deliver the Notice depends on who you are giving it to.

If the recipient is a condo corporation:

- Personally giving it to:
 - a member of the condo corporation's board of directors; or
 - the condo's manager.
- Sending it by regular mail to:
 - the condo's address for service, as shown in the [CAO's Public Registry](#); or
 - the address for service for the condo's manager or management service provider, as shown in the CAO's Public Registry.

If the recipient is a unit owner:

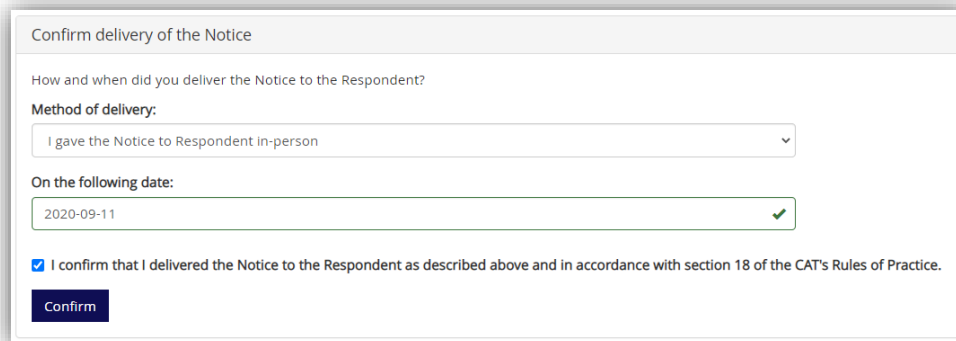
- Personally giving it to:
 - the unit owner; or,
 - an adult occupant/resident of the unit who confirms that the unit owner is also an occupant/resident.
- Sending it by regular mail to:
 - the address for service for the unit owner, as shown in the condo's record of owners and mortgagees; or,
 - the unit's address, if there is no address for service listed in the condo's record of owners and mortgagees.

If the recipient is an Occupant (i.e., they reside in the unit, but don't own it):

- Personally giving it to the Occupant; or
- Sending it by regular mail to the unit's address.

Confirming Delivery with the CAT

After you have delivered the Notice, you must log back into your case and confirm how and when you delivered it. You can do this by clicking on the "Confirm" or "Confirm Delivery" buttons on the Notify Respondent tab of your case, and then selecting how and when you delivered the Notice.



The screenshot shows a web form titled "Confirm delivery of the Notice". The form asks "How and when did you deliver the Notice to the Respondent?". It has two main sections: "Method of delivery:" with a dropdown menu showing "I gave the Notice to Respondent in-person", and "On the following date:" with a date input field showing "2020-09-11" and a green checkmark icon. At the bottom, there is a checkbox labeled "I confirm that I delivered the Notice to the Respondent as described above and in accordance with section 18 of the CAT's Rules of Practice." which is checked, and a blue "Confirm" button.

You must log back in and tell the CAT how you delivered each Notice because each Notice has a deadline that depends on how it was delivered:

- **If you delivered the Notice in-person**, Parties have **seven** days to join the case.
- **If you delivered the Notice by regular mail**, Parties have **12** days to join the case. This accounts for the time it takes the Notice to arrive in the mail.

Second and Final Notices

If a party does not join the case within 7 days (if you delivered the Notice personally) or 12 days (if you delivered the Notice by mail), you can download and deliver the Second Notice.

The Second Notice is a warning that tells the other parties that they must join the case or it may proceed without their input or participation.

You can download, deliver and confirm delivery of the Second Notice the same way you did with the First Notice.

Once you deliver the Second Notice, the party will have an additional 7 days (if you delivered the Notice personally) or 12 days (if you delivered the Notice by mail).

If they still don't join the case after receiving the Second Notice, you will be able to download and deliver the Final Notice.

The Final Notice tells the party that hasn't joined that the case is proceeding without them.

Just like with the first two Notices, after you've delivered the Final Notice, you must log back into your case and confirm how and when you delivered it.

Default Proceedings

If a Respondent has been given all three notices and has not yet joined the case, it may begin without their participation.

Once you've confirmed that you've delivered all three Notices in the CAT-ODR system, you can immediately move your case forward to Stage 3 – Tribunal Decision by paying the \$125 Stage 3 fee.

Note: A Respondent that has not joined can join at any time. If they join, they will join the case wherever it is in the dispute resolution process. If a Respondent joins a case and the Stage 3 hearing is underway, the Adjudicator assigned to the case will decide what happens next.

Have Questions?

If you have any questions, please contact us directly:

- Phone – Local: 416-901-9356
- Phone – Toll-Free: (844)-880-5341
- Email: CATinfo@condoauthorityontario.ca