

**CITATION:** YORK CONDOMINIUM CORPORATION NO. 419 v. BLACK,  
2020 ONSC 2066  
**COURT FILE NO.:** TBD  
**DATE:** 20200403

**ONTARIO SUPERIOR COURT OF JUSTICE**

**B E T W E E N:**

YORK CONDOMINIUM CORPORATION NO. 419,

Applicant

- and -

SETH BLACK and CAMESHA BLACK,

Respondents

APPLICATION UNDER sections 17, 98 117, 119 and 134 of the  
*Condominium Act, 1998* and Rule 14.05(2) of the Rules of Civil Procedure

**BEFORE:** F.L. Myers J.

**COUNSEL:** *Caleb Edwards*, for the Applicant

**READ:** April 3, 2020

**ENDORSEMENT**

[1] The applicant condominium corporation sues for an order requiring the respondents to stop renovating their condominium unit. The condominium corporation asks for an urgent injunction prohibiting the respondents from having third party trades people attending in the building on an interim basis during the global COVID-19 pandemic. There is also an issue as to whether the renovations are being properly conducted in accordance with the condominium's declaration, by-laws, and the applicable law.

[2] This is a matter of great urgency. A majority of the condominium building's residents are seniors.

[3] I will hear a case conference this afternoon, at 3:00 p.m., on a telephone conference call, to discuss scheduling of the injunction and to

consider whether to make any temporary orders pending the hearing of the injunction motion.

[4] The applicant is to provide the Blacks with a copy of this endorsement and the information received from the court regarding the telephone number and password for the case conference call at 3:00 p.m. today. This may be done by email if the applicant has an email address that it knows is used by the respondents. Otherwise, the documents may be delivered under the respondents' door.

[5] The terms set out in the attached Schedule "A" apply to this endorsement.

[6] **Mr. & Ms. Black should understand that the court will be considering whether to order them to stop allowing outside workers into their unit on at least a temporary basis on the conference call today whether they participate or not.**

[7] This endorsement is an order of the Superior Court. It is effective when made. No formal order is required.

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F.L. Myers J.

**Date:** April 3, 2020

SCHEDULE "A" TERMS

1. An urgent case conference will be heard by Justice Myers, on April 3, 2020 at 3:00 p.m.
2. Service of motion materials in this contemplated proceeding may be made by email and shall be deemed effective on the date the email is sent or, if sent after 4:00 p.m., on the next day. No acknowledgement of receipt for email service is required for this motion.
3. All evidence, motion records, and factums shall be filed with the court by delivering them as attachments to an email to the other parties and the Motions Coordinator in searchable PDF format. No Books of Authority or statutory materials are to be sent to the other parties or the Motions Coordinator. References to case law or statutory material shall be made by hyperlinks to CanLII contained in the parties' factums or in a separate list of authorities.
4. The case conference and all motion hearings will be held by telephone conference on a line arranged by the Motions Coordinator. The parties and the presiding judge may use videoconference technology (whether Skype or Microsoft Teams or otherwise) as may be available to them all and acceptable to the presiding judge.
5. Upon the courthouse reopening to the public, each party shall file with the Civil Motions Office a copy of all the material he, she, or it delivered electronically for this proceeding, with proof of service, and pay the appropriate fees therefor.
6. Counsel for the applicant is to file a written undertaking to commence this proceeding as soon as practicable under Ruel 37.17.
7. This endorsement is effective when signed. No formal order is required.
8. All parties are given notice that:

- a. The presiding judge may convene one or more case conferences and make all orders as he deems appropriate under Rule 50.13(6) to ensure the efficient hearing of the urgent motion that is the subject of this endorsement;
- b. The outcome of the motion whether conveyed in typed or handwritten format is an order of the court enforceable by law from the moment it is released. Despite Rule 59.05 of the Rules of Civil Procedure, no formal order need be entered in respect of the court's resolution of this matter except if required for use on an appeal or a motion for leave to appeal;
- c. All of the provisions of this order may be varied by the presiding judge on such terms and he or she deems just; and
- d. The hearing may be recorded for the court's purposes.

Date: April 3, 2020