

CITATION: Peel Condominium Corp. No. 304 v. Hirsi, 2014 ONSC 346  
COURT FILE NO.: CV-13-5632-00  
DATE OF ENDORSEMENT: 2014 01 09  
DATE OF RELEASE: 2014 01 15

**SUPERIOR COURT OF JUSTICE - ONTARIO**

**RE:** PEEL CONDOMINIUM CORPORATION NO. 304 – and – LULL  
HIRSI et al

**BEFORE:** Skarica J.

**COUNSEL:** Antoni Casalnuovo, for the Plaintiff

No one appearing for the Defendant

**ENDORSEMENT**

[1] No one appeared for the respondent despite further proof of service per Justice Coroza's order on January 2, 2014.

[2] I am satisfied that given the outrageous and persistent conduct of the respondent, which includes incidents of stabbing and shooting and other intolerable conduct, that per paragraph 87 of Justice Code's decision in *Metro Toronto Condominium No. 747 and Natalia Korolekh*, 2010 ONSC 4448, that a perfect storm exists where the misconduct is serious and persistent, with exceptional impact on a building occupied by law abiding senior citizens and that the respondent, on the evidence is incorrigible and unmanageable. Despite being

served twice with the materials and allegations, she has not appeared to deal with the applicant's motion. I am satisfied that the respondent has breached and violated s. 117 of the *Condominium Act*.

[3] Pursuant to s. 134 of the *Condominium Act*, I believe it is fair and equitable to have the respondent ordered to sell her unit. Order is to issue pursuant to draft order filed and signed.

[4] Pursuant to *Metro Toronto v. Skyline Executive* [2005] 197 O.A.C. 144, [2005 O.J. No. 1604 (Ont. C.A.), *Muskoka Condominium Corp. No. 39 v. Kreutzweiser*, 2010 ONSC 2463, 2010 CarswellOnt 2504 (Ont. S.C.J.), *Chan v. Toronto Condominium Corp. No. 1834*, 2011 ONSC 108 and *Grey Standard Condominium Corp. No. 50 v. Grey Standard Condominium Corp. No. 46*, 2013 ONSC 1145, it is appropriate to order costs on a full indemnity basis of \$19,930.15.

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Skarica J.

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