

## CONDOMINIUM AUTHORITY TRIBUNAL

**DATE:** January 30, 2026

**CASE:** 2025-00441N

**Citation:** Metropolitan Toronto Condominium Corporation No. 869 v. Copsas, Panagiotou, 2026 ONCAT 10

Order under section 1.44 of the *Condominium Act, 1998*.

**Member:** Brian Cook, Member

**The Applicant,**

Metropolitan Toronto Condominium Corporation No. 869  
Represented by Nasrudin Mumin, Counsel

**The Respondents,**

Constaninos Copsas  
Not participating

Tina Panagiotou  
Not participating

**Hearing:** August 13, 2025 to January 9, 2026

### **INTERIM ORDER**

**A. INTRODUCTION**

[1] Metropolitan Toronto Condominium Corporation No. 869 (MTCC 869) was established in 1989 as a “no-pets” building. Section III.5 of the declaration provides as follows:

No dog, cat, livestock, fowl, reptile, rodent or animal shall be allowed or kept in or about the common elements or any part thereof, including those parts thereof of which any owner has the exclusive use.

[2] Section V.4(d) provides:

No dog, cat, livestock, fowl, reptile, rodent or animal shall be kept or allowed in or about any unit.

[3] Section 1(d) of the MTCC 869 rules states:

As per the Corporations Declaration, this is a no pets building. No pets shall be allowed or brought in by visitors or kept in or about any unit or the common elements or any part thereof, including those parts of the common elements of which any owner has the exclusive use.

[4] Constatinos Copsas is an owner and occupier of a unit in MTCC 869. Tina Panagiotou also resides in the unit but is not an owner. In this application, Mr. Copsas and Ms. Panagiotou are the respondents. MTCC 869 seeks an order requiring the respondents to remove a cat and a dog who live in the unit.

[5] This is an Interim Decision. For the reasons set out below, I find that the Respondents have a cat and a dog living in the unit in contravention of the declaration. I order the cat to be removed from the unit within 30 days. The hearing will reconvene to hear evidence and submissions about the dog. The issues will include whether the respondents are entitled to an accommodation to allow them to keep the dog on the basis that Ms. Panagiotou has disability-related needs that are met by the dog.

## **B. PARTICIPATION OF THE RESPONDENTS**

[6] Mr. Copsas joined the case, but Ms. Panagiotou did not. The case was assigned to me on August 13, 2025. Neither respondent responded to my initial message. On August 22, 2025, I asked the Tribunal staff to contact Mr. Copsas. I was advised that Mr. Copsas indicated that he would be away without internet access until September 19, 2025. The Applicant agreed to put the case on hold until then. On September 25, I asked Mr. Copsas to confirm if Ms. Panagiotou was intending to join the case. He did not reply.

[7] On October 1, 2025, I posted a message which read in part as follows:

At your request, this case was put on hold until September 19. You have not yet responded to messages since that time. It is very important that you do respond because if you do not, the case will proceed without you. This would mean that the case will be decided on the basis of the evidence and submissions of the Condominium. You would not have the ability to provide evidence, including regarding your request for accommodation for Ms. Panagiotou who may have disability-related needs for an emotional support animal.

In the absence of any input from you, there may be an order that the animals are not permitted to live in your unit.

Please respond to this message as soon as possible. If you have not done so by October 8, the hearing will continue in your absence.

- [8] The respondents did not respond to this message and have not participated since.
- [9] On October 16, I advised Mr. Mumin, counsel for MTCC 869, that I was satisfied that the respondents had notice of the hearing and asked him to provide relevant documents.
- [10] By December 2025, I had not received documents. I spoke with Mr. Mumin on January 6, 2026. He advised that his client had received some documents from the respondents indicating that their dog is an emotional support or service animal. I suggested that the case might proceed in two parts. The first would deal with the allegation that the respondents have a cat contrary to the rules. The second part will deal with the allegation that the respondents have a dog contrary to the rules and also MTCC 869's request for compensation for costs associated with attempts to have the respondents comply with the declaration and rules. Mr. Mumin confirmed that his client was agreeable to proceeding in this way. He then filed documents relevant to the case.

### **C. EVIDENCE**

- [11] MTCC 869 relies on a witness statement from the condominium manager with accompanying documents supporting her evidence.
- [12] The condominium manager indicates the unit where the respondents live is owned by Mr. Copsas and that the cat and dog arrived when Ms. Panagiotou moved into the unit. The condominium manager says that the respondents have allowed both the cat and the dog to be in the hall and elevator area unattended on several occasions. Photos, security reports and complaints from other residents, including a person who is severely allergic to cats, confirm the condominium manager's evidence.

### **D. ANALYSIS**

- [13] On the basis of the available evidence, it is clear that the respondents have a cat and a dog living in their unit. This is contrary to the declaration, noted above. There is some suggestion that Ms. Panagiotou may not live in the unit full-time. However, as noted above the MTCC 869 rules, pets may not be brought by visitors.
- [14] The respondents have not provided any explanation to MTCC 869 for why they should be permitted to have a cat in their unit. They have not so far participated in

this case and so have not provided any explanation in this hearing either.

[15] I find that the respondents have a cat living in the unit owned by Mr. Copsas in contravention of the condominium's declaration and rules. I order the respondents to permanently remove the cat from the unit within 30 days of this decision.

#### **E. THE RECONVENED HEARING**

[16] The hearing will reconvene to deal with the fact that a dog also lives in the unit.

[17] As noted, Ms. Panagiotou has indicated that the dog is an emotional support or service animal. She has provided MTCC 869 with a note from her family doctor indicating that she has a disability and that the dog provides support that allows her to better manage her symptoms.

[18] To put this matter in a legal framework, MTCC 869's declaration and rules do not permit animals to be kept in a unit. The note from the doctor indicates that Ms. Panagiotou has disability-related needs that are met by the dog. If this is true, Ms. Panagiotou may request an accommodation to allow her to keep the dog even though animals are not permitted.

[19] A request for accommodation in these circumstances is covered by the Ontario Human Rights Code (the "Code"). The Code provides that a person with disability-related needs may request accommodation. If it is established that the person does have a disability with disability-related needs, the accommodation must generally be granted, unless it results in undue hardship.

[20] Medical evidence is important to establish the existence of a disability and disability related needs, but it is not sufficient. Evidence from the person requesting the accommodation is also required. Evidence is also required to determine if the accommodation request will result in undue hardship. In this case, there is some indication of hardship caused by the fact that the dog is sometimes unattended and outside the unit and because of other residents who have allergies.

[21] As noted, the other related issue is MTCC 869's request for reimbursement from the respondents for the costs it has incurred associated with the case.

[22] It is therefore essential that the respondents participate when the hearing reconvenes. If they do not, the issue of whether they can keep the dog will be decided on the basis of the evidence presented by MTCC 869 and this could result in an order that the dog be removed and that they pay compensation to MTCC 869.

[23] Because Mr. Copsas joined the case, he has access to the online dispute resolution (ODR) system. He must confirm that he will be participating in the reconvened hearing. He must also indicate if Ms. Panagiotou will also participate. He can do this in the in the system, under the “Communications during the hearing” topic. The Tribunal staff can be contacted if there are any difficulties accessing the system. Confirmation of participation must be received within 10 days of the date of this decision.

[24] I will provide further direction after ten days from the date of this decision.

[25] MTCC 869 is directed to deliver a paper copy of this decision to the respondent’s unit within two days of the date of this decision.

**F. ORDER**

[26] The Tribunal Orders that:

1. Within 30 days of the date of this decision, the respondents must permanently remove the cat from the unit.
2. The hearing will reconvene to deal with whether the respondents are permitted to keep the dog on the basis that Ms. Panagiotou has disability related needs that are met by the dog.
3. Within 10 days of the date of this decision, the respondents must confirm that they will participate in the reconvened hearing. They may do this by posting a message in the on-line dispute resolution system.
4. Within two days of the date of this decision, MTCC 869 shall deliver a paper copy of this decision to the respondents’ unit.

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Brian Cook  
Member, Condominium Authority Tribunal

Released on: January 30, 2026