



THE BENEFIT OF EARLY INTERVENTION
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The benefit of early intervention in respect of condominium conflict is apparent when one considers how long the trial process takes and how easily conflict can escalate between parties who continue to exist in community with one another. Recent case law also serves to highlight the expense of going to court while prompting questions as to when a court house is the right forum for the fuss.

“That a matter such as this ended up in Court is unfortunate, the cost consequences here are 5 to 10 times the value of the claim.” – Maranger J., Ottawa-Carleton Standard Condominium Corporation No. 671 v. Friend (“Friend”)

The Friend case surrounded a dispute between a condominium corporation and unit owner in respect of the payment of approximately \$3000 pertaining to the installation of a water meter. Each party was ultimately required to incur much more than the \$3000 in dispute to resolve the situation.

In fact, the total legal costs ultimately awarded to the condominium corporation in the course of “winning” were fixed at \$15,000 all inclusive, seemingly only half of the total that it spent. While compliance issues were also at hand in the course of this conflict and the unit owners were found to have acted as though the rules did not apply to them, the court felt that such issues could have easily been rectified, implying that litigation was not necessary to address this aspect of the conflict.

Mediation, particularly in the early stages, need not be expensive and can provide value even if the conflict persists by narrowing issues, clarifying intentions, defining respectful communication between parties and evidencing that a conciliatory approach was attempted before proceeding to trial.

Learn more at: www.EARLYCONFLICTRESOLUTION.ca

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Marc holds an Executive Certificate in Conflict Management from the University of Windsor's Faculty of Law (Stitt Feld Handy) and earned an Honours Bachelor of Arts at the University of Toronto (Trinity College). He actively manages condominium conflict and advocates for mediation in the early stages of condominium disputes.

Marc brings unique insight in mediating condominium conflict through the knowledge and experience he has gained as a condominium director, resident and law clerk. His mediation practice is focused on condominium disputes.

Marc sits on the Board of Directors of the Toronto & Area Chapter of the Canadian Condominium Institute and is a member of the ADR Institute of Ontario; the ADR Institute of Canada; the Toronto & Area, Golden Horseshoe, Huronia and London & Area Chapters of the Canadian Condominium Institute; the Association of Condominium Managers of Ontario and the Institute of Law Clerks of Ontario.



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