

Has your condominium corporation in the Greater Toronto Area or surrounding areas purchased refurbishment services since January 1, 2006?

If so, you could be affected by a class action settlement:

The Class Action

A class action was commenced in the Federal Court of Canada on behalf of all condominium corporations that contracted for condominium refurbishment services in the GTA and surrounding areas between January 1, 2006 and May 31, 2022.

The class action brought on behalf of condominium corporations alleges that the Defendants conspired contrary to the *Competition Act* to illegally price-fix and rig bids for condominium refurbishment services made to condo common elements and/or shared facilities.

A settlement has been reached with one of the defendants in the ongoing class action. A Court hearing has been scheduled for September 21, 2022 at 10AM by videoconference to consider whether to approve the settlement. Condominium corporations have rights to comment or object to the proposed settlement or to opt-out of the case. If your condo corporation would like to remove itself from the class action, it must opt-out of the case by **August 2, 2022**. There will be no further opportunities to opt-out of this case. No settlement funds will be distributed at this time and there is no need to make a claim at this time. The Court will be asked to approve an order that the settlement amount will be held in trust to pay for anticipated expert fees.

The Alleged Conspiracy

The Plaintiff alleges that between January 1, 2006 and May 31, 2022, condo corporations requested calls for bids or tenders to repair, maintain or improve condo common elements and/or shared facilities.

In response to these bids, the Plaintiff alleges that several construction companies, through their principals, conspired to illegally price-fix and submit false bids for condominium refurbishment services sold to condo corporations in the GTA and surrounding areas, contrary to the *Competition Act*.

The settlement is a compromise of disputed claims and not an admission of liability, fault, or wrongdoing. There have been no findings made against any of the defendants in the ongoing class action.

The Proposed Settlement

A settlement was reached with CPL Interiors Ltd. (“CPL”) for CAD \$555,000. The settlement provides for a full and final release of any claims against CPL.

No settlement funds will be distributed at this time and there is no need for condo corporations to make a claim at this time. The Court will be asked to approve an order that the settlement amount will be held in trust and disbursed to pay for anticipated expert fees.

Settlement Hearing

A hearing to consider approval of the settlement will be heard by the Federal Court in the City of Toronto on September 21, 2022 at 10:00 a.m.

Condominium corporations may express their views to the Court on the proposed settlement. The deadline for doing so is **August 2, 2022**. Condominium corporations may also take steps to opt-out (i.e. to be excluded) from the class action until **August 2, 2022**. There will be no further opportunities to be excluded from this action. Please see <https://www.sotosclassactions.com/cases/condominium-corporations/> for more information.

For More Information

For more information about this class action and the settlement, including the Statement of Claim and Settlement Agreement, please visit:

<https://www.sotosclassactions.com/cases/condominium-corporations/>

Questions?

If you have questions, please e-mail torontocondo@sotos.ca or call 1-888-977-9806.

Class Counsel are Common Ground Condo Law and Sotos LLP