



Davidson Houle Allen LLP  
Condominium Law

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December 7, 2018

**BY EMAIL (mastersparky@hotmail.com) & BY REGULAR MAIL**

Joseph Dilworth  
Unit 765F Cedar Creek Dr.  
Gloucester, ON  
K1T 0B3

Dear Mr. Dilworth:

**Re: Ottawa-Carleton Standard Condominium Corporation No. 816 – Inappropriate Conduct  
Our File No.: 30299-100**

I write further to my letter to you dated November 26, 2018, and your email dated November 27, 2018 with respect to the above-captioned matter. For ease of reference, please find enclosed copies.

In response to your questions in your November 27<sup>th</sup> email, my comments are as follows:

- *“The letter said i gave threatening phone calls to the property manager. I’ve had two calls this year that lasted about a minute each. Could you tell me what was said that was considered threatening?”*

In the phone calls that you have made to the Property Manager when you were on the Board, and since you left the Board, it is not what was said, but the inappropriate manner in which you have spoken to the Property Manager, or left voicemail messages to the Property Manager. An example, is as follows:

On June 24, 2016, when you telephoned the Property Manager, you left a threatening voicemail message to the Property Manager regarding the dispute of the parking monitoring issue. You appeared to be anxious in having the Property Manager respond to you, and it was the manner (i.e. the tone and delivery) in which you left the voicemail message that was threatening.

- *The letter also indicates that I’ve been telling board secrets since I left could you tell me what you are referring to?*

As you are aware, in 2016, you divulged confidential information to which you were privy (i.e. you expressed your personal feelings on Board’s decisions and shared them with another unit owner), which was a breach in your fiduciary duty as a Board Member. The Board understandably has concerns that you may divulge other confidential information; therefore, in my November 26<sup>th</sup> letter, I am merely reminding you, that as a former Board Member, you are to

act in the best interest of the Corporation, which includes not only refraining from engaging in conduct, which creates an unsafe, or harassing, work environment, but also refraining from divulging confidential information to which you were privy during your time as a member of the Board.

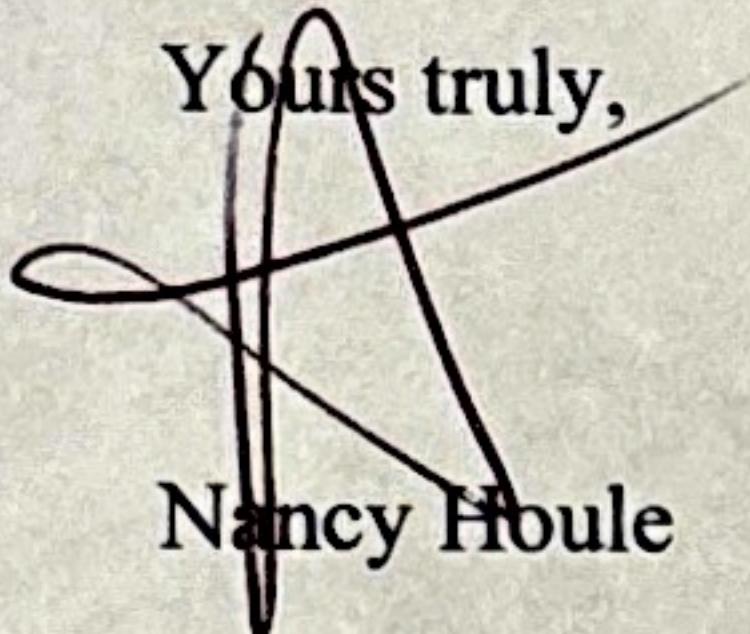
Please also be advised, that because the situation has required our continued involvement, the Corporation has incurred further legal fees in the amount of approximately \$350.00 (plus HST). Again, the Corporation does not intend to charge these costs to you at this time; however, should I be required to dialogue further with you, or if any action be required, the Corporation will have no alternative but to seek recovery of such fees.

To prevent legal fees from incurring, please follow the communication protocol as noted in my November 26<sup>th</sup> letter, and send your non-emergency written communications to the Corporation (i.e. via the Board or the Property Manager), to be reviewed at the monthly Board Meetings.

I trust that my response to your November 27<sup>th</sup> email is satisfactory, and that you will govern yourself accordingly.

I sincerely hope that my further involvement will not be required.

Yours truly,

  
Nancy Houle

Encls.

Cc: OCSCC 816 – *By Email*