



## Telecom Decision CRTC 2026-116

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Reference: Part 1 application posted on 21 June 2023

Gatineau, 5 June 2026

*Public record: 8622-C143-202303725*

### **CIK Telecom Inc. – Application for non-discriminatory and timely access to the multi-dwelling unit administered by strata corporation LMS 818**

#### **Summary**

The Commission is taking action to help ensure that Canadians benefit from access to affordable and high-quality Internet services.

Through this decision, the Commission is continuing to help promote competition and increase choice for consumers in all types of dwellings. A competitive marketplace helps foster more innovative services and lower prices for telecommunications services.

CIK Telecom Inc. (CIK) filed an application claiming that it is being denied timely access under reasonable terms and conditions to the multi-dwelling unit (MDU) administered by strata corporation LMS 818 (LMS 818). CIK is seeking access to this building so that it can offer telecommunications services to residents.

CIK requested that the Commission grant relief by enforcing the MDU access condition. This requires building owners to provide access to an MDU on a timely basis and under reasonable terms and conditions to any telecommunications service provider wishing to serve an MDU's residents.

CIK submitted 11 Part 1 applications seeking MDU access during the period it submitted the application addressed in this decision. When these applications were first received, parties were directed to return to negotiations and provide regular updates to the Commission. This approach led to negotiated agreements in the majority of cases. In the case of this application, additional time for negotiations did not result in an agreement. The Commission is now issuing a decision based on updates from the parties and a complete public record.

Based on the record of the proceeding, the Commission considers that LMS 818 has denied CIK access to the MDU on a timely basis. The Commission therefore directs LMS 818 and CIK to enter into good-faith negotiations for timely access, under reasonable terms and conditions, to the MDU.

The Commission is also directing LMS 818 and CIK to reach an agreement for access to the MDU within **30 days** of the date of this decision, and for both parties to sign the agreement no later than **60 days** from the date of this decision.

The Commission is enforcing the MDU access condition pursuant to section 24 of the *Telecommunications Act* until access is granted. The Commission is also directing LMS 818 and CIK to inform it of the state of their negotiations, with the first three reports to be filed within **30, 45, and 60 days** of the date of this decision.

## **Background**

1. In Telecom Decision 2003-45, the Commission set out its framework for access to multi-dwelling units (MDUs), such as apartment buildings and condominiums (the MDU access framework). In that decision, the Commission emphasized the importance of promoting competition and choice, regardless of the type of dwelling in which an end-user resides.
2. In the same decision, the Commission established the MDU access condition, which requires that all local exchange carriers (LECs) wishing to serve residents in an MDU can access end-users on a timely basis and under reasonable terms and conditions. In Telecom Regulatory Policy 2021-239, the Commission extended the MDU access condition and associated obligations to all carrier Internet service providers (carrier ISPs) that provide services to end-users in MDUs.
3. Telecom Decision 2003-45 also established guidelines to assist building owners and LECs in negotiating just and expedient conditions of access to MDUs, including conditions relating to fees (e.g., fees that a building owner may reasonably charge the LEC to recover costs incurred), the installation of wiring and equipment, and liability.

## **Application**

4. The Commission received an application, dated 13 June 2023, from CIK Telecom Inc. (CIK), a Type III LEC. In its application, CIK indicated that it has made multiple access requests to offer telecommunications services to residents in the MDU located at 8880 Jones Road in Richmond, British Columbia (the MDU). The MDU is managed by Dwell Property Management (Dwell) and administered by strata corporation LMS 818 (LMS 818). CIK served a copy of its application on Dwell. CIK indicated that it was being denied timely access to the MDU under reasonable terms and conditions because LMS 818 had refused all its access requests. CIK also indicated that this has affected residents' ability to choose an alternative telecommunications service provider (TSP).
5. CIK requested that the Commission enforce the MDU access framework, in accordance with section 24 of the *Telecommunications Act* (the Act).
6. The Commission did not receive an answer from either LMS 818 or from Dwell (on LMS 818's behalf) regarding CIK's application. In a letter dated 23 January 2026, the Commission requested

an update from CIK and Dwell on the status of their negotiations. In the letter, the Commission also requested Rogers Communications Canada Inc. (Rogers) and TELUS Communications Inc. (TELUS), which currently serve the MDU, to comment on the possibility that the Commission may impose the relief requested by CIK. Rogers and TELUS responded to the Commission's request, while Dwell did not. CIK responded that it reached out to LMS 818 and proposed a revised access agreement. CIK added that the revised agreement reflects the guidance set out in Telecom Decision 2025-185 and closely follows the access agreement that CIK entered into with the strata corporation (EPS 757) in that decision. CIK stated that LMS 818 relayed its correspondence to Dwell but noted that it has not received any communication from LMS 818 or Dwell regarding the revised agreement.

## **Issues**

7. The Commission has identified the following issues to be addressed in this decision:
- Is CIK being denied timely access to the MDU under reasonable terms and conditions?
  - What action, if any, should the Commission take to help ensure that CIK obtains timely access to the MDU under reasonable terms and conditions?

### **Is CIK being denied timely access to the MDU under reasonable terms and conditions?**

#### **Positions of parties**

##### ***CIK***

8. CIK submitted that it has been seeking access to the MDU since October 2022 to provide telecommunications and broadcasting distribution services over its own fibre facilities to residents. CIK added that its requests for access explained the MDU access framework in detail and provided LMS 818 with references to relevant decisions and policies underpinning that framework.
9. CIK submitted that, in January 2023, LMS 818 responded, through Dwell, to CIK's access request, noting that LMS 818 was not interested in granting access to the MDU at that time. CIK submitted that it made further attempts in February, March, and April 2023 to remind LMS 818 that denying its request for access was contrary to the requirements set out by the Commission in the MDU access framework.
10. According to CIK, LMS 818 has not granted access to the MDU as of 6 February 2026, despite CIK's attempts to request access on a good-faith basis. In CIK's view, it has therefore been denied timely access to the MDU under reasonable terms and conditions.
11. In its application, CIK underscored its commitment to reaching negotiated access agreements, noting that it considers escalating access disputes to the Commission as a measure of last resort. In CIK's view, it has exhausted its options for obtaining timely access to the MDU under

reasonable terms and conditions and therefore had no choice but to bring an application for relief to the Commission.

### **Commission's analysis**

12. The MDU access condition states that all LECs wishing to serve end-users in an MDU must be granted timely access under reasonable terms and conditions. The MDU access condition ensures that MDU residents can choose between different service providers and benefit from market competition.
13. In the Commission's view, the record of this proceeding demonstrates that CIK has not been granted access to the MDU despite multiple access requests and attempts to remind LMS 818 of CIK's right of access under the MDU access framework.
14. In light of the above, and as noted in CIK's application, the Commission finds that LMS 818 is denying CIK timely access to the MDU under reasonable terms and conditions.

**What action, if any, should the Commission take to ensure that CIK obtains timely access to the MDU under reasonable terms and conditions?**

### **Positions of parties**

#### ***CIK***

15. CIK requested that the Commission enforce the MDU access condition until access is granted, in accordance with section 24 of the Act, as follows:
  - Within 15 days following the date of the Commission's decision, any other LEC or carrier Internet service provider (ISP) already in the MDU will not be permitted to provide services to any new resident of the MDU and will not be permitted to provide services to a current resident that is not an existing customer of the applicable service provider.
  - Within 30 days following the date of the Commission's decision, any LEC or carrier ISP present in the MDU will not be permitted to modify or upgrade the services being provided to a current resident.
  - Within 45 days following the date of the Commission's decision, the Commission will explore all regulatory options available to it, including issuing an order under section 42 of the Act and issuing a decision that could result in all LECs and carrier ISPs present in the MDU not being permitted to provide any services to the residents.

### **Commission's analysis**

16. In previous decisions addressing MDU access in occupied MDU properties, the Commission typically used an incremental approach. This approach has been adopted in already-occupied

MDU properties to encourage prompt negotiations between a TSP and the building owner, while limiting the impact on residents being served by other TSPs with access to the building. In Telecom Decisions 2022-148 and 2024-42, the Commission set out conditions with escalating restrictions at 30 and 45 days after its decision unless the building owner granted the TSP access to the MDU. Additionally, in their response to the Commission's letter, dated 23 January 2026, Rogers and TELUS did not oppose the use of the incremental approach.

17. In Telecom Decision 2025-185, which also involved a dispute over MDU access between CIK and a strata corporation (EPS 757), the parties were given 30 days to negotiate an access agreement and 60 days to sign the agreement. The Commission is of the view that it should use the same incremental approach and the same set of deadlines for LMS 818 and CIK to negotiate and sign an access agreement.
18. The Commission therefore sets the same deadlines to CIK and LMS 818 to conclude and sign an access agreement as it set on CIK and a strata corporation (EPS 757) in Telecom Decision 2025-185. The Commission will also enforce the MDU access condition through escalating service restrictions, as requested by CIK in this proceeding.

## Conclusion

19. In light of all of the above, the Commission approves CIK's request for access to the MDU on a timely basis and under reasonable terms and conditions, for the purposes of installing, operating, maintaining, and replacing transmission facilities and ancillary telecommunications equipment to provide its services to end-users who wish to avail themselves of CIK's service offerings.
20. The Commission directs LMS 818 and CIK to enter into good-faith negotiations and conclude an agreement for CIK to access the MDU within **30 days** of the date of this decision. The Commission also directs both parties to sign the agreement no later than **60 days** from the date of this decision. This will allow LMS 818 time to arrange and conduct a vote by the unit owners once an agreement is concluded.
21. If the Commission is not informed that an agreement has been reached by the end of the 30-day negotiation period, the Commission will enforce the MDU access condition pursuant to section 24 of the Act, as follows, until CIK is granted access to the MDU:
  - Effective **30 days** from the date of this decision, neither Rogers, TELUS, nor any other LECs or carrier ISPs will be permitted to provide services to any new customer, regardless of whether the customer is a new or a current resident.
  - Effective **45 days** from the date of this decision, neither Rogers, TELUS, nor any other LECs or carrier ISPs will be permitted to modify or upgrade the services being provided to an existing resident and customer.
  - If access is not granted within **60 days** from the date of this decision, the Commission will explore all regulatory options, including issuing an order under section 42 of the Act and

issuing a decision that could result in all LECs and carrier ISPs present in the MDU not being permitted to provide any services to the residents.

22. Furthermore, the Commission directs CIK and LMS 818 to inform it of the state of their negotiations, with the first three progress reports to be filed within **30, 45, and 60 days** following the date of this decision. Thereafter, the Commission directs the parties to file progress reports on a biweekly basis until CIK has obtained access to the MDU.
23. If an access agreement is reached within 30 days, but no signed agreement is filed by the parties within 60 days of the date of this decision, the Commission will enforce the MDU access condition pursuant to section 24 of the Act, as follows:
  - Effective **60 days** from the date of this decision, neither Rogers, TELUS, nor any other LECs or carrier ISPs will be permitted to provide services to any new customer, regardless of whether the customer is a new or a current resident.
  - Effective **75 days** from the date of this decision, neither Rogers, TELUS, nor any other LECs or carrier ISPs will be permitted to modify or upgrade the services being provided to an existing resident and customer.
  - If access is not granted within **90 days** from the date of this decision, the Commission will explore all regulatory options, including issuing an order under section 42 of the Act and issuing a decision that could result in all LECs and carrier ISPs present in the MDU not being permitted to provide any services to the residents.
24. The regulatory measures described above will be lifted immediately once a signed agreement is filed by both parties and CIK is granted access to the MDU to install its equipment and provide services to residents.

Secretary General

### Related documents

- *CIK Telecom Inc. – Application for non-discriminatory and timely access to the multi-dwelling units of strata corporation EPS 757*, Telecom Decision CRTC 2025-185, 24 July 2025
- *Execulink Telecom Inc. – Application requesting non-discriminatory and timely access on reasonable terms and conditions to multi-dwelling units owned by JLC Homes Ltd.*, Telecom Decision CRTC 2024-42, 28 February 2024
- *Rogers Communications Canada Inc. – Application for non-discriminatory and timely access under reasonable terms and conditions to the multi-dwelling unit at 70 Yorkville Avenue, Toronto, Ontario*, Telecom Decision CRTC 2022-148, 8 June 2022

- *Access to in-building wire in multi-dwelling units*, Telecom Regulatory Policy CRTC 2021-239, 27 July 2021
- *Provision of telecommunications services to customers in multi-dwelling units*, Telecom Decision CRTC 2003-45, 30 June 2003