



Telecom Decision CRTC 2026-184

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Reference: Part 1 application posted on 22 February 2023

Gatineau, 24 July 2026

Public record: 8622-CI43-202300739

CIK Telecom Inc. – Application for non-discriminatory and timely access to multi-dwelling units administered by strata corporation LMS 2793

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), a Type III local exchange carrier, filed an application claiming that it is being denied timely access under reasonable terms and conditions to multi-dwelling units (MDUs) administered by strata corporation LMS 2793 (LMS 2793). CIK is seeking access to these buildings 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, each seeking access to one or more MDUs, 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 2793 has denied CIK access to the MDUs on a timely basis. The Commission therefore directs LMS 2793 and CIK to enter into good-faith negotiations for timely access, under reasonable terms and conditions, to the MDUs.

The Commission is also directing LMS 2793 and CIK to reach an agreement for access to the MDUs and for both parties to sign the agreement no later than **30 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 2793 and CIK to inform it of the state of their negotiations within **30 days** following 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 February 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 using its own fibre facilities to residents in a building complex composed of four MDUs managed by Citybase Management Ltd. (Citybase) and administered by LMS 2793 (LMS 2793): 8171 and 8191 Saba Road and 6191 and 6211 Buswell Street in Richmond, British Columbia (collectively, the MDUs).¹ CIK indicated that it was being denied timely access to the MDUs under reasonable terms and conditions because LMS 2793 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. On 23 March 2023, the Commission received an answer from LMS 2793 addressing the allegations and relief requested in CIK's application.

¹ In response to a Commission request for information, CIK clarified that LMS 2793's strata plan consists of four MDUs rather than the two MDUs initially referenced in its application.

Requests for information

7. On 18 July 2023, Commission staff sent a [request for information](#) (RFI) to determine which TSPs had access to the MDUs. In their respective responses, Novus Entertainment Inc. (Novus), Rogers Communications Canada Inc. (Rogers), and TELUS Communications Inc. (TELUS) confirmed that they are serving customers in the MDUs.
8. On 23 January 2026, Commission staff sent an [RFI](#) requesting that CIK and LMS 2793 provide an update on the status of their negotiations. In its response, CIK submitted that it had reached out to LMS 2793 and proposed a revised access agreement, and that it had not received any response from Citybase or LMS 2793. On 6 February 2026, Citybase copied Commission staff on an email to CIK's legal counsel. In that email, Citybase indicated that the MDU owners had rejected CIK's request for access during a vote held on 23 May 2023.

Issues

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

Is CIK being denied timely access to the MDUs under reasonable terms and conditions?

Positions of parties

CIK

10. CIK submitted that it first requested access to the MDUs in April 2022, which LMS 2793 did not respond to. CIK added that it repeatedly followed up on its initial request from April to August 2022. Although there was some discussion between the parties afterwards, it did not lead to any significant progress toward CIK obtaining access to the MDUs.
11. CIK indicated that, while it intended to continue negotiating reasonable access terms with LMS 2793, it considered that regulatory intervention was required due to LMS 2793's lack of communication.

LMS 2793's answer

12. LMS 2793 submitted that it is willing to grant access to CIK to install its equipment, subject to the following conditions:

- Before access is granted, CIK is to provide LMS 2793 with the proposed Right-of-Entry agreement, outlining the specific details of the installation process, including the timeline, location of the installation, and any potential impact on MDU residents.
- Once LMS 2793 is in receipt of CIK's proposed Right-of-Entry agreement, it will present the unit owners with the opportunity to vote on the matter. Until the vote is held and approved by the owners, LMS 2793 will need to temporarily suspend installation of CIK's equipment.

CIK's reply

13. CIK submitted that LMS 2793's delayed consideration of its request until another vote takes place is inconsistent with the requirements of the MDU access condition. CIK added that there is no legal basis for its request to be approved through a vote by the unit owners, and that matters relating to MDU access could be determined by a strata council or condominium board or delegated to a property management company. CIK further submitted that, even if LMS 2793 were required to submit this matter to a vote, it could do so on an expedited basis by calling a special general meeting under section 42 of the [Strata Property Act](#).
14. CIK indicated that, following its receipt of LMS 2793's answer regarding the Right-of-Entry agreement, it promptly delivered all of the information requested by LMS 2793. CIK added that LMS 2793's answer cited unspecified access delays that are contrary to the MDU access condition.

Commission's analysis

15. CIK has been repeatedly refused access by LMS 2793 on the grounds that the unit owners must first vote collectively to approve the request. Per the MDU access condition, CIK must be granted timely access to the MDUs. As the Commission determined in Telecom Decision 2025-185, it is incumbent upon an MDU's building owner, executive body, or legal representative to take the necessary procedural steps to provide non-discriminatory and timely access to a TSP seeking access to an MDU in order to serve end-users, regardless of the corporate structure of the MDU.² Accordingly, the Commission is of the view that LMS 2793's refusal to provide CIK access to the MDUs until the matter is put to a vote and approved by the unit owners has unnecessarily

² According to the Commission's telecommunications MDU access framework, end-user choice for condominium buildings has been applied at the level of individual subscribers. This means that individual subscribers, rather than the condominium board or strata council, are considered the end-users under this framework. By contrast, in the Commission's broadcasting multiple unit dwelling framework, end-user choice for condominium buildings is applied at the condominium board or strata council level (see Broadcasting Public Notice 2003-18 and Broadcasting Decision 2003-275).

delayed CIK's access to the MDUs. This delay undermines the residents' right to choose from different service providers and benefit from competitive choice.

16. In light of the above, the Commission finds that LMS 2793 is denying CIK timely access to the MDUs under reasonable terms and conditions.

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

Positions of parties

CIK

17. 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 ISP already in the MDUs will not be permitted to provide services to any new resident of the MDUs 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 MDUs 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 MDUs not being permitted to provide any services to the residents.

TSPs

18. In the 23 January 2026 RFI, Commission staff requested that the TSPs currently serving the MDUs comment on the potential imposition of the incremental measures requested by CIK.
19. Rogers submitted that incremental measures against carriers are an important safeguard to facilitate competition and maximize consumer choice. However, it added that the Commission's focus should be on ensuring access during the pre-construction phase to avoid a situation where existing customers are subjected to a potential loss of service.
20. TELUS submitted that the Commission should use its existing enforcement powers to ensure that end-users can access the TSP of their choice, because otherwise the MDU market becomes uncompetitive. However, TELUS added that relief measures should aim to resolve access challenges without penalizing end-users, and that restricting all TSPs from offering services within a building would adversely impact a greater number of customers and residents.

Commission's analysis

21. The Commission considers that preventing CIK from accessing the MDUs to provide services to residents by making access conditional on a vote by the unit owners denies the MDUs' residents their choice of TSP. This runs counter to both the MDU access condition and certain policy objectives in the Act. The Commission is therefore of the view that the MDU access condition should be enforced even if CIK were denied access to the MDUs by LMS 2793 through an unfavourable outcome of the vote.
22. In previous decisions addressing MDU access in occupied MDU properties, the Commission typically used an incremental approach. This approach has been adopted 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 2025-221 and 2025-222, 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 MDUs.
23. Based on the record of the proceeding, LMS 2793 has not raised any concerns with the access terms proposed by CIK. Accordingly, the Commission considers that the parties do not require any additional time to negotiate an agreement; all that remains is for the parties to sign an agreement for access.
24. The Commission therefore considers that the parties should be given 30 days to sign an agreement, instead of the 30-day and 60-day timelines in Telecom Decision 2025-185.

Conclusion

25. In light of all of the above, the Commission approves CIK's request for access to the MDUs 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.
26. The Commission directs CIK Telecom Inc. and strata corporation LMS 2793 to sign an agreement for access to the MDUs within **30 days** from the date of this decision.
27. If the Commission is not informed that an agreement has been signed and that access has been granted within **30 days** from the date of this decision, the Commission will enforce the MDU access condition pursuant to section 24 of the Act, as follows, until CIK is granted access to the MDUs:
 - Effective **30 days** from the date of this decision, neither Novus, 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 Novus, 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 MDUs not being permitted to provide any services to the residents.
28. Furthermore, the Commission directs CIK Telecom Inc. and strata corporation LMS 2793 to inform it of the state of their negotiations within **30 days** following the publication of this decision. Thereafter, the Commission directs the parties to file progress reports on a biweekly basis until CIK has obtained access to the MDUs.
29. Once CIK notifies the Commission that the parties have signed an agreement and that CIK has been granted access to the MDUs in order to install its equipment and provide services to the residents, the above-described service restrictions will be lifted immediately.

Secretary General

Related documents

- *Continuum Online Services Ltd., operating as Netflash Internet Solutions – Application for non-discriminatory and timely access to multi-dwelling units administered by Greenwin Corp.*, Telecom Decision CRTC 2025-222, 29 August 2025
- *2332683 Ontario Inc. operating as Coextro – Application for non-discriminatory and timely access to the multi-dwelling unit administered by Toronto Standard Condominium Corporation 1782 Ltd.*, Telecom Decision CRTC 2025-221, 29 August 2025
- *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
- *Access to in-building wire in multi-dwelling units*, Telecom Regulatory Policy CRTC 2021-239, 27 July 2021
- *Complaint by Novus Entertainment Inc. against Bell Express Vu Limited Partnership regarding access to a condominium multiple unit dwelling*, Broadcasting Decision CRTC 2003-275, 18 July 2003
- *Provision of telecommunications services to customers in multi-dwelling units*, Telecom Decision CRTC 2003-45, 30 June 2003

- *Application of the concept of end-user choice in multiple unit dwelling condominiums,*
Broadcasting Public Notice CRTC 2003-18, 11 April 2003