



Welcome Bienvenue

CDG Mission:

To leverage the collective wisdom, knowledge and experience of its membership in order to help Directors manage their individual condominium operations more effectively and efficiently.



Meeting Agenda -16 Mar./16

- **Main Topic:**

- **Mental health in condominiums**

- **Condo Beat:**

- **Group purchasing initiative**
- **Keeping our CDG membership directory current**
- **Our web's site forum: a great source of info**
- **Next meetings, dates (June 14) and topics**



Mental disabilities



A corporation will present the fictitious story of ‘Mary’



Mental disabilities

Mental Health Unit of the Ottawa Police

- Joshua Cavicchioli
- 613.236.1222 ext. 5155
- <http://www.ottawapolice.ca/en/about-us/mental-health-unit.asp>





Mental disabilities

***Mental Health Act* permits the apprehension/custody of someone to be examined by a physician if there are reasonable and probable grounds to believe that the person:**

- Has threatened or attempted to threaten to cause bodily harm to self;
- Behave violently towards others or cause other to fear bodily harm;
- Shows lack of competence to care for self and shows signs of mental disorder which may result in harm to self or other or in serious physical impairment.



Mental disabilities

Form 1 under the *Mental Health Act*

- Authorizes the apprehension, detention and assessment of a person under the *Mental Health Act*
- Issued by a physician
- Person must be assessed within 72 hours
- Can lead to
 - Voluntary admission;
 - Involuntary admission;
 - Release from hospital



Mental disabilities

Form 2 under the *Mental Health Act*

- Authorizes the apprehension, detention and assessment of a person under the *Mental Health Act*
- Anyone can request a Justice of the Peace to issue this form
- The Applicant must show:
 - Evidence of mental illness
 - Danger to self or other
 - Failure to care for his/her needs
 - Provide as much info as possible, including history of violence or illness, possession of weapons, person's whereabouts...



Mental disabilities

The Office of the Public Guardian Trustee

- Elaine Ruffange (legal counsel)
- PGT: 1.800.518.7901
- <https://www.attorneygeneral.jus.gov.on.ca/english/family/pgt/>



Ontario



Mental disabilities

Resources in Ottawa

- Geriatric Assessment Outreach teams
 - East of Bronson 613.562.6362
 - West of Bronson 613.721.0041
- Ottawa Hospital Mobile Crisis Team
 - 1.866.531.2600
- Regional Psychiatry Community Services of Ottawa
 - 613.562.9111 ext. 0
- Mental Health Crisis Line
 - 613.722.6914



Mental disabilities

Property Managers – your first line of defence

- Andréé Ball – former property manager
- Keller Engineering





Mental disabilities

Legal Obligations of Condo Corporations

- Rod Escayola – Gowling WLK
- 613.783.8684
- Rod.escayola@gowlingwlg.com



GOWLING WLK



Mental disabilities

Legal obligations under the *Condo Act*:

- Duty to accommodate disabilities – short of undue hardship
- Disabilities include mental impairment, mental disability...
- Duty to accommodate includes:
 - A procedural duty (listen, communicate, be respectful...)
 - A substantive duty (try to find a solution if possible)
- It's a delicate balancing act



Mental disabilities

Legal obligations under the *Condo Act*

- Corps. have a duty to control, manage and administer the common elements and assets of the corporation
- Owners must comply with Act, declaration, by-laws and rules;
- Corps. Must take all reasonable steps to ensure compliance;
- Dangerous activities are prohibited in units or common elements;
- Corps. Can seek the assistance of the courts to obtain compliance. This may lead to eviction;



Mental disabilities

Legal obligations under the *Condo Act*

- Under the new Act, eviction can only be ordered by a court and only if:
 - A person poses a serious risk to health and safety **OR** serious risk of damage to property;
 - If person is found to be unsuited for the communal occupation/use of the property **AND** no other order will be adequate to enforce compliance



Next Meeting

June 14, 2016



Thanks / Merci

Website: www.CondoDirectorsGroup.ca

LinkedIn: Condo Directors Group

Twitter: @CondoDirectors