



# 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 June /15

- **Condo Beat:**

- Air bnb
- Proposed amendments to the *Condominium Act*

- **Main Topic:**

## **What Directors should know about unit renovations**

- Richard Ashe, Program Manager City of Ottawa
- Matthew Michaluk, Keller Engineering



# Changes to the Condo Act...

- Introduced at Queen's Park on May 27
- Formally known as *An Act to amend the Condominium Act, 1998, to enact the Condominium Management Service Act, 2015 and to amend other Acts with respect to Condominiums*
- Presented as « *An Act to Protect Condominium Owners* »
- 160 pages of modifications rather than adopting a new act
- Only passed first reading

By Rod Escayola



# Changes to the Condo Act...

## Changes will affect:

- Condominium Governance
- Property Management (*Condo Management Service Act*)
- The *Building Code*
- Tarion (Ontario New Home Warranties Plan)

By Rod Escayola



# Changes to the Condo Act...

## List of more significant changes

- Creation of Condominium Authority
- Creation of Condominium Tribunal
- New reporting requirement to the corporations
- New training and disclosure requirement for directors
- Requirement regarding adoption and circulation of budget
- Potential imposition of procurement processes

By Rod Escayola



# Changes to the Condo Act...

## List of more significant changes ...

- Changes on process for owners to requisition meetings
- Requirement of advance notice of AGM (20 + 15 days)
- Changes to proxies
- Changes to record keeping and access to corporate documents
- Inability for corporations to collect penalties or fine is confirmed

By Rod Escayola



# Changes to the Condo Act...

## List of more significant changes ...

- Changes affecting the reserve funds (RFS provider, what's adequate funding, what is an eligible security)
- Greater cost recovery for owners seeking compliance
- Owners able to contest corporation's attempt to impose additional common expenses to owners
- Ability for owners to "set off" condo fees against sums ordered to be paid to him by corporation;

By Rod Escayola



# Changes to the Condo Act...

## List of more significant changes ...

- Sweeping changes to repair and maintenance of units
- Changes to the modifications that corporation can make to common elements without notice
- No apparent changes to what constitute a 'substantial change'
- Restriction on changes an owner can make to exclusive use common elements

By Rod Escayola





# Changes to the Condo Act...

## List of more significant changes ...

- Changes / restriction pertaining to insurance deductible by-laws
- More protections against contracts entered into by Declarants
- Increased protection against nuisance from owners
- Mediation/arbitration remains mandatory for most matters – unless the new Condo Tribunal has jurisdiction
- Arbitration awards to be available to public

By Rod Escayola



# Changes to the Condo Act...

## Changes affecting PMs...

- Creation of administrative authority overseeing the profession
- Instauration of complaints mechanism;
- Mandatory licensing and training requirement
- Obligation to have written contracts
- Appointment of inspector and auditing powers
- Imposition of PM code of ethics

By Rod Escayola



Thanks / Merci

Website: [www.CondoDirectorsGroup.ca](http://www.CondoDirectorsGroup.ca)

LinkedIn: Condo Directors Group

Twitter: @CondoDirectors