

Ministerial Order SA 009/2020 Expiry Notice Information Update from Service Alberta

Please note that Ministerial Order 009/2020 will be expiring on August 14, 2020. This Ministerial Order suspended a number of sections of Service Alberta’s legislation in light of the public health emergency. In regards to the condominium legislation, it included suspending the requirement for condominium corporations to hold general meetings and the ability for condominium corporations to enter units to make non-emergency repairs when someone in the unit was self-isolating. The Order will not be extended.

After August 14, 2020 condominium corporations will be required to hold annual general meetings that were suspended due to the Ministerial Order and to hold special general meetings that are requested by owners under the legislation. Under the *Condominium Property Act*, condominium corporations must hold their annual general meetings no more than 15 months after the previous one, although this requirement was temporarily suspended by the Ministerial Order. Corporations are recommended to begin planning any required meetings now and work with legal counsel to determine by what date they must now hold any delayed annual general meetings.

To explain further, the suspension means that time was essentially “paused” during the Order. Here is an example of a sample condominium timeline:

- The Order came into effect on April 9, 2020.
- In this example, a corporation was required to have its AGM 30 days later (May 9, 2020).
- The timeline for holding meetings was “paused” on April 9, 2020 and remained paused until August 14, 2020.
- The corporation therefore has 30 days after August 14, 2020 to hold its AGM; it must be held on a date before September 13, 2020.
- Because each condominium corporation’s experience will be different, based on when it was required to hold its AGM and possibly additional requirements in its bylaws, corporations are recommended to confirm their obligations for holding any upcoming AGMs with legal counsel.

In addition to ending meeting suspensions, after August 14, condominium corporations and their employees, such as contractors, will be able to access units for non-emergency reasons once the required notice has been provided.

Condominium corporations will still be required to obey all provincial and municipal restrictions regarding maximum sizes for indoor and outdoor gatherings, physical distancing, and mask-wearing, where applicable, including entry to tenant or owner premises. Corporations considering online meetings are recommended to check their bylaws and speak to legal counsel. More information about the Government of Alberta's Covid-19 response and health directives can be found at: <https://www.alberta.ca/coronavirus-info-for-albertans.aspx>. Details concerning the expiry of Ministerial Order SA-009/2020 can be found at <https://www.alberta.ca/assets/documents/covid-19-sa-factsheet-mo-009-2020.pdf>.

More information about Alberta's condominium law can be found on Service Alberta's Condominium Rules website here: <https://www.alberta.ca/condominium-rules.aspx>. This site includes a number of new and updated fact sheets regarding various aspects of the legislation and other best practices for condominiums.

We thank you for your patience and cooperation in these challenging times.
Kind regards,

Frank Buckreus
A/Executive Director, Service Alberta
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