

VOL. 31, ISSUE 2 - WINTER 2017

INSITE TO CONDOS

CANADIAN CONDOMINIUM INSTITUTE MAGAZINE
NORTH ALBERTA CHAPTER

THIS ISSUE:

National Chapter
of the Year

Legal Corner

What is your Building
Envelope up to this Winter?

The Canadian Condominium Institute is an independent, non-profit organization formed in 1982 with Chapters throughout Canada, including the North Alberta Chapter. This organization is the only national association dealing exclusively with condominium issues affecting all of the participants in the condominium community. The Chapters throughout the country provide practical comparisons to the different provincial Acts. The CCI assists its members in establishing and operating successful Condominium Corporations through information dissemination, education, workshops, courses, and seminars.

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MESSAGE FROM THE PRESIDENT

BY ANAND SHARMA



Welcome to the Winter edition of the *Insite Magazine*!

First off, I would like to congratulate all of our members, our sponsors, our volunteers, our committees, and our Board of Directors on the achievement of once again being named Chapter of the Year for CCI! To win in back to back years demonstrates that our continued efforts have not gone unnoticed by our peers across the country. As the second largest chapter (second only to Toronto) we continue to lead the organization in membership growth, educational events and opportunities, as well as advocacy on behalf of owners and the industry. Congratulations to all!

Let me also personally thank you all for re-

-electing me as your President for my sixth term. I am honoured and humbled to stay on with your support, I know that member expectations are high and I will continue to work hard to meet those expectations. We had an incredible number of candidates, twenty-four, with 10 open vacancies which again demonstrates how vibrant and exciting our organization has become. Special congratulations to newly elected members Susan Milner from TEGA Property Management, Darcie-Lee Rea who is the owner of Hallmark Management, and Trinity Player with BFL Insurance Canada. The team is remarkably diverse with condominium owners, managers, and industry members, I look forward to working with everyone as we continue to provide value for membership, and educational opportunities for all.

Please spread the word about joining CCI North Alberta. We have an amazing organization that offers services condominium owners and boards alike could benefit greatly from. Every new member helps our organization grow and provide new educational opportunities at more affordable rates to our community.

This winter has been about positive change in our organization, and in my life too. I am blessed to be in a supportive industry with incredibly talented people! Happy Holidays and New Year to everyone, may 2018 be a year filled with joy, love, and peace for all.

Anand Sharma

President, CCI North Alberta

A WORD FROM THE EDITOR

BY MARSHA THURLIN

A lot has happened since our last issue. In October the CCI North Alberta Chapter held our AGM, during which three new board members were elected, and the National Conference took place in Thunder Bay. Also this fall Brentwood Village celebrated the 50th anniversary of their condominium.

As well, I participated in one of the many education events that CCI NAB held this fall—Expectations of Management Companies and Boards. Being the president of two condo boards, I found the event to be a humbling experience. I realized, more than ever, the importance of community among condo owners and boards. I became sharply aware of the necessity of educating and sharing knowledge within our community. Whether we are

discussing contracts, how to run an effective meeting, or how to deal with vendors, the information we can receive from each other is priceless. In working on this issue as editor, I constantly have an eye toward this end. Indeed, in publishing *Insite*, the aim of every volunteer on our team is to provide useful, important information regarding condominium living to our readers.

Consequently, we have included in the present issue a new section, *On Board*. Its objective is provide useful information to board members and owners. Condo managers, board members and owners worked collaboratively on this section. However, we need the community to contribute by sharing questions or advice to make it a success. It was obvio-

us during the Expectations of Management Companies and Boards education event that there are many experiences we can all learn from.

Thank you to all that have helped on this issue; without your articles, submissions, and content, the issue would not exist. Thank you to the team, Shirley, Candace, and Joanna, for all the behind-the-scenes work.

As always, I strongly urge anyone who would like to contribute to *Insite*, in any capacity, to reach out to us at info@ccinorthalberta.com.

Marsha Thurlin

Chairperson & Communications Co-Chair, CCI North Alberta



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9TH ANNUAL CONDO CONFERENCE & TRADE SHOW

SATURDAY, MAY 12, 2018

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Maurice Perrault was born and raised in Edmonton. He retired from the Edmonton Police Service in 1989 after 25 years of service. He and his wife Margarete have 3 adult daughters and 4 adult grandchildren. Maurice and Margarete have resided in condominiums for approximately 17 years. Five of these years was in West Kelowna BC. Maurice has always been on the board of the condominium in which they lived. While in BC he was president of the corporation and currently is president of the Harbour Park Condominium board in Sherwood Park. Maurice currently sits on the Education Committee of CCI North Alberta and oversees our new CondoSTRENGTH Director Program.

MEET THE BOARD

MAURICE PERRAULT

Q: What makes a successful condominium community?

A: My wife Margarete and I have lived in a condominium community for over 20 years - fifteen of those years in our present home and 5 in a strata (condominium) community in BC. During this time, one of us has always been a board member. I think involvement is a key element in having a successful condominium community. Involvement does not have to be as a board member; it could be volunteering to be on a committee that reports to the board, such as a landscaping/grounds committee. You can be involved in your community not only by attending meetings but by taking an active part in those meetings. This is where the vital communication between boards and owners takes place.

However, don't stop at attending meetings. Condominium owners and especially board members must educate themselves on the ever more complex condominium laws. CCI offers many opportunities for owners and board members to attend a variety of seminars.

As you might have guessed, I think being an active, informed and involved member of your condominium community is paramount in having a successful condominium community.

Q: Living in both provinces, what in your opinion is the biggest difference in condo legislation between BC and Alberta?

A: Naturally the BC Strata Property Act (SPA) and the Alberta Condominium Property Act (CPA) vary. After all, who would expect 2 provinces to agree on a rather simple

set of laws when they can't agree on pipelines. OK, that's my political statement now onto the question.

My answer relates back to having a successful condominium community. Just as our country, province and municipality have rules and regulation governing what we can and can't do, condominiums have bylaws governing what we can and can't do. When one of these bylaws is broken usually a complaint is lodged with the board.

Briefly Section 135 of the BC SPA states that a fine may not be imposed until the owner has been given the details of the complaint

searched CCI, learning what they did and what they believed in and found that it was a fit for me. I believe that education on condominium living is very important not only to owners but especially to board members. Condominium boards are responsible to run multimillion-dollar businesses. There should be a mandatory course that board members take before or after election to a board. After deciding to join CCI, I quickly volunteered to sit on the Education Committee. I was then nominated and elected to the CCI board where I hope to have influence in providing affordable and relevant educational courses for owners and board members.

"If I were not excited about life, about learning new things, about new experiences, I believe I would be very, very bored."

in writing, been given an opportunity to answer the complaint and, if desired, to request a hearing in front of the board. Once all this has been complied with, only then can a fine be issued.

I think handling a bylaw infraction in this manner is far preferable to having either party go through a dispute resolution process or court process in the first instance. This allows the community to settle this dispute internally.

Q: How did you hear about CCI and what drew you to become involved?

A: I heard about CCI through our Condominium Manager. I re-

Q: If you could master one instrument, what would it be?

A: When I was very young I took 3 years of piano lessons (hardly enough to master an instrument). There has always been a piano in our home. When our oldest daughter married and moved out, she took 'our' piano with her. I then purchased my first electronic piano. My latest is a Yamaha electronic piano/keyboard. It has so many beautiful functions that I would truly love to master that instrument.

Q: What are you listening to right now?

A: I gather this question does not mean 'at this very moment' but rather at this point in my life. I have

always been a fan of country and western music. I don't particularly enjoy most of today's C&W music, but I do love the classic C&W music that tells a story. And, yes it may include those songs that deal with sad things that happen in life.

Q: Dogs or cats?

A: When I was a member of the Edmonton Police Service I was a dog master for a time. Since there will never be another dog like '009 Police Service Dog Count', I have chosen not to have another dog. That plus I believe living in condominiums is no life for a dog, regardless of size. Cats on the other hand are content to live indoors, have a comfortable place (or 2) to sleep, be fed regularly and have a clean litter box. Our 3 cats are friendly, affectionate animals that love their servants - us!

Q: Which skill would you love to learn?

A: I would very much like to learn a second language. Because of my Metis heritage, that second language would be Cree. My mother and grandmothers used to speak a combination of English, French and Cree, many times all in the same sentence.

Q: On a scale of one to ten, how excited are you about life right now?

A: 10!!!! If I were not excited about life, about learning new things, about new experiences I believe I would be very, very bored. I was teaching a basic computer course to people with physical limitations and one said to me, "If you're not green and learning, you're dying."

Todd Shipley has practiced in condominium law for over 17 years, representing and advising condominium corporations, unit owners, property condominium managers and other industry participants.

He has regularly presented at CCI North Alberta's conferences, lunches and other events and has served two terms on the Board.



MEET THE BOARD

TODD SHIPLEY

Q: What was the most enlightening condo case you have been a part of?

A: The most enlightening matter was my very first AGM. It was a full house with very angry owners; however, that meeting confirmed for me how concerns must be addressed and conflicts resolved.

Q: What is the most overlooked aspect of legal counsel that condominium corporations should consider utilizing more often?

A: Seek counsel first to avoid a problem as opposed to resolving a problem.

Q: Who do you enjoy needing more on the Conference Legal Panel - Hugh Willis or Robert Noce?

A: Too hard to say - Hugh is great fun but Robert's bow ties and matching silk puffs are just

fantastic!

Q: What do you love on your pizza?

A: Feta cheese, mozzarella, banana peppers, meat and red peppers.

Q: What country do you wish to visit?

A: Does Antarctica count? If not, then Chile on the way to Antarctica.

Q: Best way to de-stress?

A: Spend time with my wife and four children.

Q: If you were a crayon, what colour would you be?

A: Bright yellow as I am a ray of sunshine!

Q: Tell us something about you that most people don't know.

A: I am fluent in Thai.



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YOUR CONDOMINIUM VOICE

The Government Advocacy team has been very busy since my last report.

Age Restrictions in Condominiums

CCI North Alberta has been on the forefront of protecting condominium owners and their right to self-determine on the issue of age restrictions in condominiums. Despite a strong lobby effort by select politicians, a lobbying firm, and a group of individuals pushing to take away condominium owner rights, we were able to find a successful outcome.

Age restrictions will be permitted in Condominiums for those aged 55 and over (and their spouses who may be under this age). CCI North Alberta along with our many allies fought extremely diligently to ensure that seniors would continue to be afforded the right to age restricted and community based housing.

Despite the national trend moving away from allowing for age restriction for those 18 and over, we were able to convince the Alberta Government to provide grandfathering of age restriction allowances for fifteen years for those who currently live in age restricted condominiums. While no new condominiums may permit age restrictions (unless it is a 55 and over condominium) moving forward, CCI North was successful in convincing the Alberta Government to provide an appropriate transition period.

NDP Minister of Justice and Solicitor

General Kathleen Ganley accurately mentioned the work of condominium owners and the industry in their correspondence to the Alberta Government as having been a significant factor in allowing for the sizeable transition period and the 55 and over exemption.

This demonstrates the impact that you the membership have on policy making in Alberta. Without your efforts, we would not achieved the compromise solution presented. "Our Hands off Our Homes" campaign was very successful, with more than 14,000 postcards being sent in. Thank you to everyone, in particular Hugh Willis and Melissa Stappler with Willis Law for your tremendous participation and work on this issue.

Phase 1 and Government Advocacy Event

Phase 1 of the Condominium Regulations was ratified and released to the public earlier this fall. CCI North Alberta will be hosting a free event for members on the evening of January 16, 2018 outlining specific areas that will affect existing condominiums from Phase 1. We will also be discussing the age restriction issue, along with some insights on Phase 2 of the regulations. Panellists include Lawyer Hugh Willis with Willis Law, Lawyer Todd Shipley with Reynolds, Mirth, Richards and Farmer LLP, and myself. Please mark the date off on your calendar.

Phase 2: Survey and Response

The Government Advocacy Committee is currently in the process

of responding to Phase 2 formally. We will post our submission on the website in December.

Many thanks to all members who participated on-line on the Alberta Government website, and filled out the survey that was provided by Service Alberta.

Other Items

Members of our committee also met with representatives of Municipal Affairs to discuss the

much-lauded New Home Buyer's Protection Act amendments and regulations. We were impressed by the measures being taken to ensure that developers build responsibly and are held accountable for poor building practices in the province of Alberta. The Act amendments come into effect January 1, 2018 and April 1, 2018.

Anand Sharma

Co-chair, Government Advocacy Committee



R | M | R | F

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CCI EDUCATION STATION

The Education Committee has been busy since the AGM. Thanks to all the volunteer committee members (old and new) who have been working diligently as a group to facilitate the 2017 education events and come up with new education topics for 2018! Please check the Education Station page/s to review the topics scheduled in the New Year.

The Education Committee Members are: Shantel Kalakalo (Chair), Trudy Anderson (Co-Chair), Dawn Mitchell, Maurice Perrault, Darcie-Lee Rae, Trinity Player, Susan Milner, Michael Gibson, Diana McIntyre, Matt Cruikshank, Laura Lindberg, Helena Smith and Leo Leibel. I sincerely appreciate all of their time and effort put into attending meetings, volunteering their time to set-up and pack up at the events!

We are off to a great start for the 2017/18 education events. We have already held several events this year and attendance has been on par with past years. However, we would definitely like to see more members coming out to our events!

As an incentive to get more members to attend our events, we will be providing a discount for our evening seminars so that additional Board members from the same Condo Corporation can pay a reduced ticket price!

Finally, the CCI Annual Conference & Trade Show has been scheduled for Saturday, May 12, 2018 to be held again at the Robbins Health Learning Centre at McEwan University so please mark your calendars!

If you are interested in presenting at one of our events or have an education topic idea, please feel free to contact me!

Happy Holidays to you all and wish you all a healthy and happy 2018!

*Best regards,
Shantel Kalakalo
1st Vice President & Education Chair
skalakalo@wadeengineering.com*

LUNCHEONS

Cost: \$35.00 incl. GST – Non-Member \$45.00 incl. GST

Cost includes light meal (soup & sandwiches), networking, 30 to 40 minute presentation and question time.

Dealing with Pets Responsibility in a Condo Setting

Friday, February 23, 2018 @ 11:30 am to 1:00 pm

Whether you are a pet lover or not, the reality is that a significant number of condo owners and tenants enjoy having the company of a beloved pet. In this luncheon session we will review key components of creating a common sense pet policy framework including a reasonable approval process, benefits of a pet registry, handling complaints, pet restrictions and exemptions as well as what to consider when drafting new pet bylaws.

What is a Spring Walkabout and Why Are They Important?

Thursday, April 12, 2018 @ 11:30 am to 1:00 pm

As the long, cold winter slowly turns into the wonder that is spring, Mother Nature surely knows how to leave plenty of work behind! Condominium complexes face the bulk of the work as residents slowly return to the great outdoors. So after the winter thaw, it's a good time to perform a spring walkabout to evaluate and inspect common areas such as sidewalks, driveways, parking lots, steps, roofs, exterior cladding and list goes on! Many Boards can often become overwhelmed with the daunting task of what to look for and how to prioritize your walkabout. Come and learn best practices on how to structure a spring walkabout for your complex.

To register to attend any event, please visit our webpage and click on the Date of the Event:

<https://cci.geniepad.com/public/pages/education>

Note: You will be directed to the Eventbrite website.



Please Note: All sessions will be held at the Chateaus Louis Conference Centre 11727 Kingsway Ave NW

EVENING SEMINARS

Cost: \$45.00 incl. GST – Non-Member: \$65.00 incl. GST

Cost includes coffee and dessert, networking and 2 hour presentation and question time.

Condo Legislation Update – What You Need to Know

Tuesday, January 16, 2018 @ 6:30 pm to 9:30 pm

FREE to all CCI Members who register in advance

FINALLY we have some actual legislation changes to discuss and details how it affects condominium living going forward. We will divide this seminar into two parts: **Part 1** - Bill 23 - the Alberta Human Rights Amendment Act dealing with condominium age restrictions; **Part 2** - Phase 1 of the Condominium Property Amendment Regulation that revolves primarily around new build condominiums and the added responsibilities required of developers. We will also touch on what to expect with the Phase 2 amendments that involve much more of the ongoing operations of condominiums.

Condo 101 – Board Basics & Best Practices

Monday, February 5, 2018 @ 6:30 pm to 9:00 pm

FREE to All CCI North Alberta members – Non-Members: \$50.00 incl. GST

Condo 101 is an **introductory** course that will assist Condominium Board Members **understand their roles and obligations** to better serve their complex. We will cover the basics of **Board Governance, Financial and Maintenance Responsibilities** as well as common **legal obligations**. Our goal is for each attendee to take away a number of best practices to review and implement within their condominium. Registration in advance is important as space is limited (maximum of four (4) members from the same condominium or company per session).

Next Session – Wednesday, April 18, 2018

Condo Bylaw Revisions Best Practices – How to Use Your Time and Money Effectively

Thursday, February 15, 2018 @ 6:30 pm to 9:00 pm

Are your Bylaws dated, do they mention the developer or TV antennas? With the upcoming changes to the Condominium Property Act, it is time to revise your Bylaws. Join us to learn how to effectively change your Bylaws on topics such as: **New Human Rights legislation that will affect your lifestyle; Electric car recharging; New marijuana legislation; Airbnb and much more.** Bylaws are your Corporations' most important legal document. Learn how to make them effective and relevant.

OH&S, Major Projects and Financing a Project – What You Need to Know

Thursday, March 22, 2018 @ 6:30 pm to 9:00 pm

Do you know what the OH&S requirements are if you are completing a major project. How can you make sure your project does not get a stop work order? When do you need permits? Do you know the process involved with a major project? When should you consult professionals? Are the upgrades Code compliant? Should the work be phased or not? Are you familiar with a CCDC contract? Completing a major project can be overwhelming for volunteer Board members and there are key areas that all Board members should be aware of before signing a Contract. Do you know the process to get a loan to finance a major project – when does it make sense to get a loan vs. levying a Special Assessment?

WEEKEND COURSES

CCI Members: \$275.00 + GST – Additional attendees:

\$200.00 + GST – Non-Members: \$550.00 + GST

Cost includes Continental breakfast, lunch and coffee both days.

Condominium Management 100 (CM100)

Saturday & Sunday – January 27 & 28, 2018 @ 9:00 am – 3:00 pm each day

CM 100 is the **introductory level of study on condominium**, which offers an introduction into the responsibilities and liabilities of managing condominiums. CM 100 is addressed to owners, Board Members and new professionals. This level deals in detail with several **issues fundamental to condominium**, including management styles and everything you need to know about meetings. This course also addresses the basic principles of governance, administration, dealing with people, finances and maintenance and repair, each of which is presented in more detail in the CM 200 & CM 300 levels.

Can't make this session? Next dates are:

- Wednesday, April 18, 2018
- Wednesday, June 13, 2018

Condominium Management 200 (CM200)

Saturday & Sunday – March 10 & 11, 2018 @ 9:00 am – 3:00 pm each day

CM 200 Practical Management Principles is a work intensive, hands-on level of condominium study **designed for directors and managers**, responsible for the day to day activities associated with the control, management and administration of a Corporation. Topics include: enforcing & amending Bylaws; record keeping, disclosure requirements, contracts; dealing with rentals, dealing with difficult people, conflict resolution; financial records, budgets, setting condo fees, special assessments, collections, audits, Estoppel certificates and information statements; maintenance & repair, reserve fund studies; types of insurance coverage, appraisals, deductibles, bonding; complete with the resource materials, samples and examples.

MEMBERSHIP

Musings

Welcome to Membership Musings – the Membership Corner of Inside. Our commitment is to work on various initiatives this year to increase our value to our members. We value our members and want to hear from you, come and join us at our events.

The Membership Committee have been working hard to increase awareness of CCI in the community. This fall we have reached out in new ways by attending various Farmers Markets to promote why CCI is "Your Condo Connection" and inform interested parties on the benefits of membership.

We are pleased to have another year of significant membership growth and encourage you to spread the word about CCI. Please remember to take advantage of our Ambassador Program. For each referral received on a New Member application, we will provide a \$50 CCI credit to the Referrer to utilize within the fiscal year for either education events or magazine advertising.

Thank you to all Volunteers for their time and dedication. We couldn't have done it without you!

Sandi Danielson
Membership Committee Chair
sandi@princeproperty.ca

WE ARE GROWING STRONG

Membership increased from 536 members in 2015-16 to 608 members in 2016-17 (increase of 13.4%):

Breakdown by Category	2016-17	2015-16
Condominiums	359	305
Business Partners	141	122
Professionals	70	62
Individuals	38	47
TOTAL	608	536

We now represent over 25,000 condominium owners as members of our Chapter!



HALF-YEAR MEMBERSHIPS NOW AVAILABLE!

Valid until June 30, 2018 – Prices do not include GST

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Condos, 201+ Units	\$450 +GST	NOW \$250 +GST
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Robin Walker



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Current members receive a \$50 credit for every referral that becomes a paid member of CCI. Credits can be used to pay for membership dues, educational events, or advertising.

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VOLUNTEER SERVICE AWARDS

This year at the AGM, CCI was honoured to recognize individuals for their outstanding contributions in their condominium. The list was filled with exceptional people that were nominated from their community.

LORNE BRACKENBURY

PARK PLACE

He has held the position of Secretary/Treasurer for 12 years. Lorne's leadership has enriched the Boards' understanding of roles & responsibilities. He has set up Auto-debit for condo fees as well as a system to keep historical documents with easy access and space saving. He is the Welcome Committee at every event that is planned for the community.

KEN BROUGHTON

AMBERWOOD VILLAGE II

Ken has been a volunteer for almost 5 years assisting with the maintenance around the complex. Being in the trades, he has knowledge & expertise to monitor & supervise the contractors on site. He is also capable of doing many of the small projects himself, saving the condo owners many dollars.

ANNE MULGREW

BRECHINRIDGE

34 years of volunteer involvement as a Board member & treasurer. Anne is very diligent about expenditures. Determination, compassionate with a great sense of humor sets her apart. She is commonly known as the "go to" person of the complex.



2017 VOLUNTEER SERVICE AWARD NOMINEES

Ken Lambert
Westwind Park

Peter McFarlane
The Landing

Mike Smith
Victoria Plaza

Ann Tryhuba
Aspen Garden Estates

Michael Stiles
Brechinridge
Condominium

Roger Miller
Centre in the Park

Misty Isaac
Tuscan Village

*Stephanie Gregorwich
& Remkes Kooistra*
Park Place Oliver



THANK YOU TO ALL OUR 2016-17 VOLUNTEERS!

Alex Brown	Gaye O'Leary	Mira Mehta
Anand Sharma	Gerrit	Nigel Gamester
Arianna Johnson	Roosenboom	Paul Whitman
Barbara Gobert	Gord Sheppard	Pete Desrochers
Barbara L. Surry	Gregory Clark	Pete West
Bernice Winters	Heather Cournoyer	Rafal Dyrda
Brad Mitchell	Helena Smith	Rhonda Koenig
Brian Newbert	Hugh Willis	Robert Netter
Cam Mitchell	Jack McNeill	Robert Noce
Carmen Zuurro	Jamie Murphy	Ron Yustak
Carol Humphries	Jane Simpson	Sacha Carey
Cathy Navarro	Janet Money	Samia Preston
Chad Mielke	Joanne Pauline	Sandi Danielson
Chris Vilcsak	Joyce Schwan	Sarah Furlong
Courtney Koenig	Kevin Kramers	Shantel Kalakalo
Curtis Siracky	Kira Selmser	Sharon Bigelow
Darcie-Lee Rea	Leo Leibel	Shirley Auvigne
David Dodge	Manuela Kwasucki	Stephen Cassady
David Vincent	Marsha Thurlin	Steven DeLuca
Dawn Mitchell	Martin Bankey	Terry Gibson
Dawna Shirley	Matti Thurlin	Todd Shipley
Deborah M. Howes	Maurice Perrault	Tony Esposito
Diane McIntyre	Melissa Stapler	Tony Reed
Elizabeth Lunney	Melody Solis	Trinity Player
Erna Malcolm	Michael Boisclair	Trudy Anderson
	Michael Gibson	Victoria Archer
	Mike Wiebe	

WE COULDN'T HAVE DONE IT WITHOUT YOU!

(If we have missed anyone in error, please let us know and accept our sincere apologies)



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CCI ANNUAL GENERAL MEETING 2017

The Annual General Meeting for the North Alberta Chapter was held on Monday, October 2nd at the Chateau Louis Conference Centre. Over 100 Members attended our Networking Reception prior to the AGM to catch up with colleagues and introduce themselves to others. At the end of the Reception, thanks to the success of the 2017 Golf Mixer we were able to make a cheque presentation in the amount of \$2,137.35 to the Edmonton Food Bank along with the food donations that were dropped off by the golfers on the day of the event.

Highlights from the various committee reports presented for the 2016-17 fiscal year included the following:

- *Awarded the 2015-16 National Chapter of the Year at our Fall 2016 National Conference*
- *14% increase in Membership from last year to 612 paid members*
- *10% increase in Education Seminar attendees while the Annual Conference & Tradeshow continued to grow including a separate Condo Owner focused stream of educational sessions new this year.*
- *35% increase in Website registrants along with almost 100 new Online Message Forum threads posted last year.*
- *Organized a successful "Hands off our Homes" campaign to raise both awareness and support to maintain occupancy age restrictions in condominiums.*

Please note that all of the reports presented at the AGM have been posted in the Documents section of our website.

A record number of 24 candidates put their name forward for the 10 vacant positions on the Board of Directors. Kudos

to all of the candidates who took the effort to let their name stand for Board election and congratulations to the following individuals who were elected for a 2 year term:

Anand Sharma – 113 West Management
Darcie-Lee Rea – Hallmark Management
Marsha Thurlin – The Landing
Maurice Perrault – Harbour Park Condominiums
Rafal Dyrda – GeniePad
Sandi Danielson – Prince Property
Susan Milner – TEGA Property Management
Todd Shipley – Reynolds, Mirth, Richards & Farmer
Trinity Player – BFL Canada
Trudy Anderson – KDM Management

We would also like to take the opportunity to thank the following past Board Members who are not returning this year but were nonetheless a big part of our successes these past years.

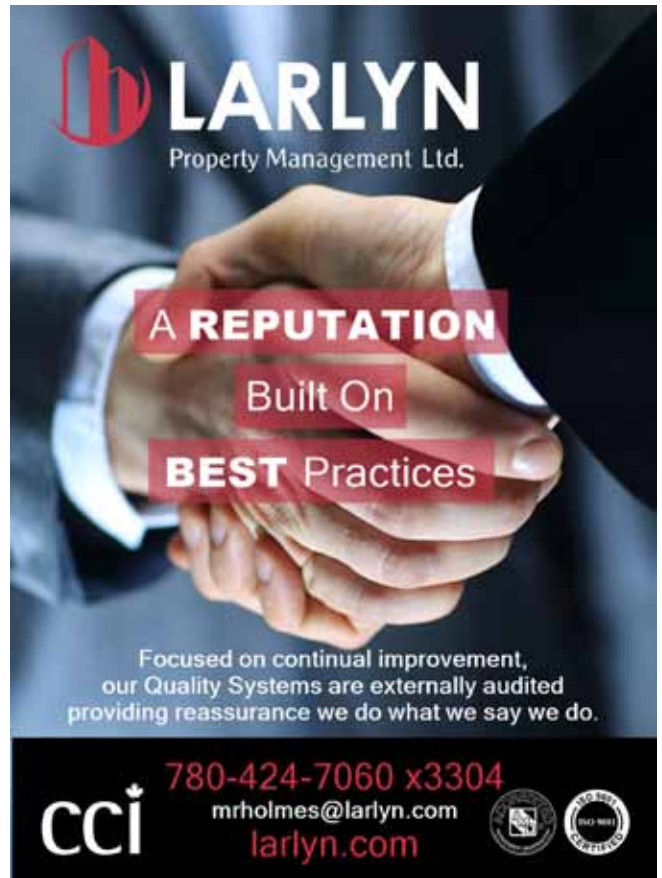
David Vincent – Applewood Condominiums
Gregory Clark – Westgate Perma Insurance
Helena Smith – HRS Condominium Consulting
Leo Leibel – Wade Engineering
Nigel Gamester – 8760 Expense Management

While the votes were being tabulated we took the opportunity to recognize the winners in our first annual “Condos in Bloom” contest. We look forward to growing this contest next year!

Individual Unit – Michael Pierce
Condominium – Parkview Manor

Following the AGM, Board Members Todd Shipley and Anand Sharma provided an update on Government Legislation. Topics covered included both Phase 1 and Phase 2 of the Condominium Property Regulation, Exemptions for Age Restrictions in Condos, the new Builder Registry and the forthcoming Cannabis Legislation.

While in a lot of these situations we are still in a wait and see scenario, it was a worthwhile presentation to ensure those in attendance received an informed review of what is actually in place currently and what to expect in the near future.



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DÉJÀ VU - NORTH ALBERTA WINS AGAIN! CCI-NAB REPEATS AS 2016-17 NATIONAL CHAPTER OF THE YEAR

At this fall's National Conference in Thunder Bay, Ontario, lightning did strike twice as North Alberta duplicated last year's feat as the recipient of the Lorne Young National Chapter of the Year (Tier Two- larger Chapters). Over the 33 year history of this award, a Chapter has only defended its title on two other occasions (once previously by our Chapter in 1995 and 1996). Judging is completed by our peers based on each Chapter's accomplishments over the past fiscal year. This marks our 3rd victory in the past 5 years which is truly amazing considering the creative and hardworking Chapters we are up against each year. A big THANK YOU to all those involved last year who were responsible for our successes including:

BOARD MEMBERS

Anand Sharma	Helena Smith	Rafal Dyrda
Barb Surry	Hugh Willis	Sandi Danielson
Chris Vilcsak	Leo Leibel	Shantel Kalakalo
David Vincent	Marsha Thurlin	Sharon Bigelow
Dawn Mitchell	Maurice Perrault	Todd Shipley
Gregory Clark	Nigel Gamester	Trudy Anderson

ADMINISTRATION

Joyce Schwan

Alan Whyte

NATIONAL AWARD WINNERS

Congratulations to the other National Award Winners that were recognized for their achievements:

Lorne Young Chapter of the Year
(Tier One - Smaller Chapters)
South Saskatchewan Chapter

H. Penman Smith Newsletter of the Year:
(Tier Two)
Eastern Ontario Chapter

—
(Tier One)
Vancouver Chapter

Special President's Award:
Doug Steen - Northwestern Ontario Chapter

Distinguished Service Awards:
Doug King - Toronto & Area Chapter
Constance Hudak - Eastern Ontario Chapter
Maurice Lloyd - Nova Scotia Chapter

ON BOARD



Are you on your condominium's board? Or an owner wondering what your board does or should do behind the scene? This section is for you. Welcome to "On Board." Our CCI community has created a new section of our Insite magazine for you. The "How To..." for Condominium Boards where experienced board of directors and condominium managers share their insight on how to be an efficient, effective, and balanced board of director in your community.

This issue highlights a Top 10 on how to run a board meeting as well as a sample of a code of ethics you can use for your board. For a digital copy of the code of ethics members can visit our website at <https://cci.geniepad.com/> and log in.

If you have a topic you would like addressed, or if you are a board of director that would like to share your wisdom reach out to us at insite@ccinorthalberta.com.

WE NEED WRITERS!

We are always looking for riveting content for the magazine and welcome all experts in their field of business to submit an article for consideration.

If you have a fear of writing but have excellent ideas or a story you want to share, we encourage you to contact our editor who will work closely with you until we are both pleased with the outcome.

For more information, please contact:
Marsha Thurlin
Insite Editor, Communications Chair
insite@ccinorthalberta.com



DIRECTORS' CODE OF ETHICS RE: CONDOMINIUM CORPORATION NO.

I have consented to act as a Director of the Corporation and I agree to comply with the following Directors' Code of Ethics throughout my terms as a Director:

Honesty and Good Faith – I will act honestly and in good faith. I will do nothing to violate the trust of the unit owners I serve.

Care, Diligence and Skill – I will exercise the degree of care, diligence and skill of a reasonably prudent person in comparable circumstances. I will make a concerted effort to attend all Board and owners' meetings. I will act responsibly and with due diligence to become familiar with the affairs of the Corporation and to uphold its Condominium Plan, By-Laws, Rules, Resolutions, Policies, Agreements and Requirements of the Condominium Act and other legislation.

Conflict of Interest – I am not currently aware of any actual or potential conflict of interest with respect to any contract, transaction, building deficiency claim, warranty claim, legal action, proceedings or any matter detrimental to the Corporation. If I become aware of any conflict, I will immediately disclose it to the Board. I will not promote my own interests or those of any owner, resident, family member, friend or contractor to the detriment of the Corporation. I will not seek any special benefits or privileges as a Director or Officer or accept any compensation either personally or on behalf of any other person except as permitted by a By-Law. I will act only in the best interests of the Condominium Corporation as a whole and I will not favour the interests of any individual or group of owners or residents.

Confidentiality – I will not disclose to any person (including my spouse) information decided by the Board to be confidential or privileged or which reasonably ought to be deemed confidential. When in doubt, I will request determination by a resolution of the Board.

Good Conduct – At all times, I will conduct myself in a professional and businesslike manner at meetings of Directors or Owners. I will approach all Board issues with an open mind, preparing to make the best decisions on behalf of the Corporation. I will act ethically with integrity and in accordance with legal criteria. I will comply with rules of good conduct and will deal with others in a respectful manner. I will comply with principles of good governance and procedural rules of order.

Support – I will abide by decisions of the majority of the Directors even though I may disagree, but I reserve the right to express my own views to owners upon non-confidential issues.

Defamation – I will not make erroneous or defamatory statements about the Corporation or any owner, resident, director, officer, manager, staff or contractor of the Corporation.

Minimize Conflict – I will attempt to prevent or minimize conflict and disruption and will promote good relations amongst persons involved in our Condominium Community. I will promote a first class image for our Corporation, its units, owners and residents.

Education – Recognizing that governance of a Condominium Corporation involves complex and changing requirements, I will continue to educate myself by researching trustworthy sources on relevant condominium matters. I will support attendance by one or more Board members at any condominium seminars presented by the Canadian Condominium Institute (CCI), including CCI's various levels of courses for Directors at the cost of the Corporation.

Agreement – I hereby agree to comply with the provisions set out in this Directors' Code of Ethics.

Dated at _____ this _____ day of _____, 20____

WITNESS:

SIGNATURE

PRINT NAME OF DIRECTOR

UNIT NO.

[You are free to use this Code of Ethics in its current form; if you alter this document in any form, you must note it is modified from the CCI original document].



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TOP 10 LIST FOR SUCCESSFUL BOARD MEETINGS

1 Ask board members, the condo manager and others that are involved in the meeting to **submit agenda items before the meeting day**. Set a clear deadline for submission, for example 1 week prior to the meeting. This will ensure everyone will have time to prepare for each discussion.

2 Provide all information/copies of quotes in advance to all attendees. Everyone should review the information PRIOR to the meeting to be ready to discuss.

3 Have a clear and reasonable agenda – Agendas that are not complete or Agendas that have too much can cause meetings to be ineffective.

4 Start on Time/End on Time – Meetings tend to run late, starting on time enables the meeting to flow according to schedule. Respect others' time and show up ready to go at the designated time.

5 Have someone experienced with Chairing a meeting be the Chair (check your bylaws for options). If you don't have an experienced Chair, refer to resources such as Robert's Rules for guidelines on running the meeting.

6 Set rules of conduct and revisit them regularly to ensure the Board remains respectful and on task. Encourage dialogue from all participants and discourage having one or two people hijack the meeting to suit their personal agendas.

7 Stay on Schedule - If meetings are taking longer than they should, set a time limit for each topic on the agenda (complex topics make require more time than others). If a decision cannot be reached, you have the option of tabling the motion to the next meeting.

8 Take the time to clearly outline each decision with a motion and vote. Record Action Items internally to ensure everyone is aware of their future responsibilities and deadlines.

9 Ensure the minute taker repeats back each motion for proper recording purposes. Send a draft copy out to the Board within a week of the meeting.

10 If possible set future meeting dates in advance. Planning board meetings far in advance gives directors plenty of notice to reach quorum and ensure the business of the condominium can be accomplished.



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CONDO BOARDS AND REQUESTS FOR INFORMATION



CONDO LAW
FOR ALBERTANS

The Centre of Public Legal Education Alberta (CPLEA) has created a great online resource for condo owners and boards entitled “Condo Law for Albertans”. An extensive variety of condominium matters are addressed in layman’s terms to assist the reader in understanding the current legislation in Alberta. We encourage you to not only view their website at www.condolawalberta.ca but to spread the word to others who reside or work in the condominium community so they can improve their knowledge as well.

A condominium corporation has a legal obligation to respond to requests for certain information, depending on what is requested and who makes the request. This guide will help condo boards determine if and when they must respond to the following requests for information:

1. ***Estoppel certificate***
2. ***Documents and details***
3. ***Reserve fund report, reserve fund plan or annual report for the fiscal year***
4. ***Insurance policy or insurance certificate***
5. ***Record inspection***

Tip: The condominium corporation can charge a reasonable fee for any expenses in providing a document.

Tip: The condo corporation should record the details of any requests for information, such as the date, the person’s name, and information/documents provided. It should also verify the identity of any non-owners making a request, such as buyers or mortgagees. When collecting personal information, the corporation should know its obligations under the Personal Information Protection Act (PIPA). More information on PIPA can be found on our website:

www.condolawalberta.ca

What information is requested?

Estoppel Certificate

An estoppel certificate is a statement indicating whether the unit's condo fees have been paid.

Is the person requesting the estoppel certificate the:

- owner, or
- purchaser, or
- mortgagee, or
- lawyer of an owner, purchaser or mortgagee, or
- person authorized by owner, purchaser, or mortgagee

NO

It is recommended that the board or management company acting on behalf of the board inform the requestor that only the persons listed are eligible to request the certificate.

YES

The condo corporation must provide a certificate with the following information:

- amount of the condominium contribution,
- payment schedule,
- any unpaid contributions, and
- interest owing on any unpaid contributions

Documents & Details

- | | | |
|--|--|---|
| <ul style="list-style-type: none"> • Contributions due and payable for a unit • Lawsuits, judgments or written demands involving the corporation • Existing management and recreational agreements • Post tensioned cables located on/within the property as included in | <ul style="list-style-type: none"> the condominium plan • Corporation's budget • Corporation's most recent financial statements • Corporation's bylaws • Corporation's or board's meeting minutes • Reserve fund | <ul style="list-style-type: none"> • Unit factors and how they are determined • Structural deficiencies known to the corporation • Lease or exclusive use agreement on the partial possession of common property (such as a parking stall or storage unit) |
|--|--|---|

Is the person requesting documents and/or details the:

- unit owner, or
- unit purchaser, or
- unit mortgagee

NO

It is recommended that the board or management company acting on behalf of the board inform the requestor that only the persons listed are eligible to request the documents.

YES

NO

It is recommended that the board or management company acting on behalf of the board inform the requestor that the request must be in writing.

Is the request in writing?

YES

The condo corporation must provide the documents and/or details or a copy of the documents and/or details within 10 days of receiving the request.

Reserve fund report, reserve fund plan, or annual report for the fiscal year

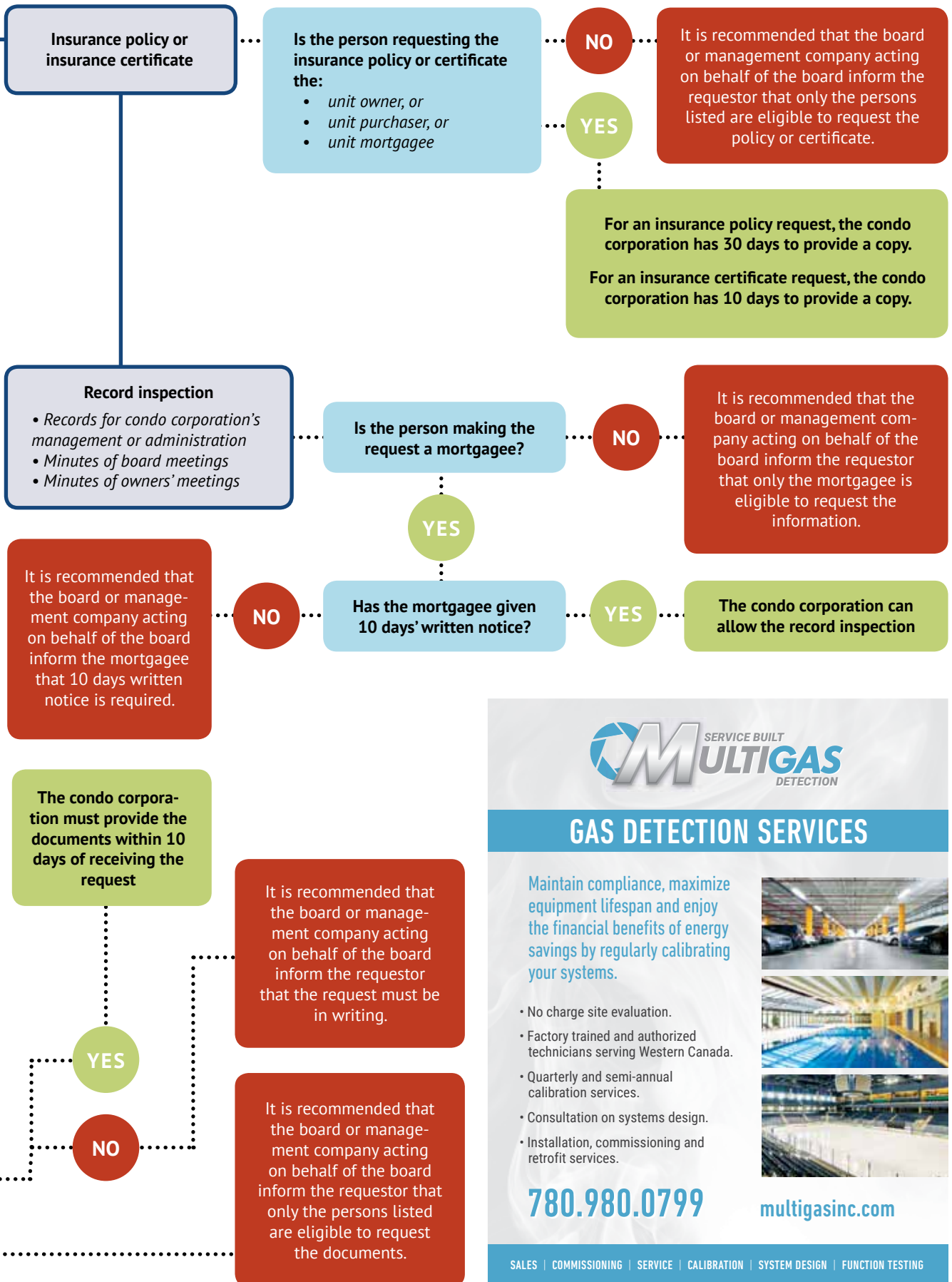
Is the person requesting the documents the:

- unit owner, or
- unit purchaser, or
- unit mortgagee

YES

Is the request in writing?

NO





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BRENTWOOD VILLAGE

THE FIRST CONDOMINIUM IN CANADA CELEBRATES 50TH ANNIVERSARY



I was fortunate to attend this special event on Saturday, September 9, 2017 commemorating the 50th anniversary of the first condominium in Canada. Brentwood Village, a 56 unit townhome complex located in northeast Edmonton (yes Edmonton, not Toronto or Vancouver) holds that distinction.

Shantel Kalakalo representing the CCI North Alberta Chapter presented Val Droste, the President of the Board of Directors for Brentwood Village, a lifetime CCI membership to honour their unique achievement. A commemorative plaque was also presented to stand as a reminder of the historical significance of this landmark event. KDM has been the Management Company for Brentwood Village since 2010 and provided a wonderfully creative cake along with desserts that were not only delicious, but beautifully presented. HUB Insurance presented a donation of \$500 and Wade Engineering (reserve fund study provider) planted a commemorative tree in the inner courtyard. Even Ed Gibbons, the Edmonton City Councillor for the area, was in attendance. The children in attendance at the celebration enjoyed the bouncy castle, balloons, Frank's sausages, ice cream, popcorn and cotton-candy treats. Owners and residents came out

to enjoy their community and neighbors. When talking to people at the event, I was frequently told of how hard Val had worked to make this special event happen. She appeared very pleased to see so many owners and residents in attendance.



WADE ENGINEERING LTD.

"Congratulations to Brentwood Village on their Golden Anniversary (50 years) of being the oldest Condominium in Canada! Wade Engineering has been working with Brentwood Village on and off over the last 15 years and we are pleased that their buildings look great after so many years. Thank you for asking us to join you to celebrate this momentous day!"

*Allan C. King, P.Eng.
President, Wade Engineering Ltd.*

Joyce, the oldest of the original owners still living at Brentwood Village, was in attendance and provided an account of why she and her family chose to move into Brentwood Village. She recounted how they moved into their new home in 1968 following completion of the complex. Joyce described how she and her husband owned a farm and purchased the townhouse-style condominium so that their children could attend school in Edmonton. This gave the family the freedom to go to the farm on the weekends without having to worry about yard maintenance. Another owner who has been at Brentwood Village since 1972 reflected on the fact that the complex was surrounded by fields in the beginning.



"On behalf of the Condominium Community I would like to congratulate Brentwood on their historic milestone, their 50th anniversary. CCI North Alberta Chapter commemorated this important occasion with the first ever lifetime membership to a condominium corporation due to the exceptional work of the many volunteers over the past 5 decades."

Anand Sharma, CCI NAB President



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*Terry Stewart
Chairman, HUB International Insurance Brokers*

The first Condominium Property Act in Canada was passed in 1966 and became the legislative framework for a new industry and lifestyle option. Brentwood's plan was the very first Condominium Plan—CDE 100. Currently there are almost 9,000 registered condominiums in Alberta. So much has changed in the last 50 years of condominiums in Canada with every indication that condominium living will continue to be a larger part of the residential landscape in the future. There is still so much change ahead, but in being at this event today we can be grateful for all the people who have contributed to the progress made to date.



"As the oldest condominium complex in Canada (the first Corporation ever registered, Brentwood is a solid community that truly values their home and their residents. They never cease to amaze me with their ongoing effort to maintain the building and all the elements that make Brentwood special. One of the hardest working boards I have had the pleasure to work with."

*Nancy Vuksa
Condominium Manager, KDM Management Inc.*

Thank you,

Joanna Pauline

Property Manager

Aim Real Estate Corporation

joannap@aimrec.ca

WHAT IS YOUR BUILDING ENVELOPE UP TO THIS WINTER?

BY NIAL McCARRA

Just like us humans, building envelopes can experience their own cold and flu like symptoms.

Maybe this winter you can be the doctor and your building envelope the patient. Winter conditions are harsh on building envelopes, but winter is a good time to evaluate building envelope performance.

Roofs and Attics

In cold climates, roofs and attics are intended to be unconditioned spaces (i.e. conditioned air from the interior of your building should not be flowing into the attic). If properly sealed from the interior and ventilated to the exterior, this can help to avoid issues with their performance. Symptoms that your roof and attic may be experiencing some underlying issues during the winter could be:

- *Areas of melted frost or snow on roof surfaces. This is not to be confused with windblown snow on roofs, which can expose large areas of the roofing.*
- *Ice dams and icicles on roof eaves.*
- *Icicles on underside of roof eave soffits.*
- *Frost build-up on the underside of the roof sheathing.*
- *Evidence of moisture on ceilings and around ceiling penetrations.*
- *Wet or stained insulation.*

Heat loss and air leakage, allowing warm moist air into attic spaces, may be the underlying ailments that relate to the symptoms above.

Heat loss into attics may occur through areas of missing

or displaced insulation, or the attic insulation may not be providing the required thermal resistance to reduce the heat flow from the interior conditioned spaces into the unconditioned attic spaces. Uninsulated chimney stacks or similar mechanical ducts may be another source of heat loss into attics.

Air leakage through improperly sealed ceiling penetrations such as attic hatches, bathroom fans or ceiling lights, can allow warm moist air to enter the attic spaces, causing symptoms related to condensation, such as frost on the underside of roof sheathing.

Good ventilation in attics is required to remove warm moist air and keep the temperature of the attic cool enough to reduce the risk of issues occurring with the attic and roofs. Poor ventilation can lead to accumulation of heat and moist air in the attic, possibly resulting in condensation and frost within the attic space.

Insulation, air sealing and ventilation characteristics should be checked to make sure roofs and attics are performing as intended.

Windows and Doors

Windows and doors can have a significant impact on the performance of the building envelope and on the comfort of the occupants.

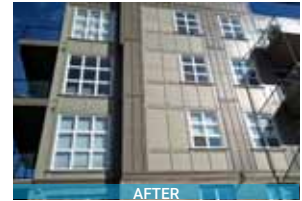
Condensation on the interior surfaces of windows

High interior humidity levels during colder temperatures is the most likely cause of condensation on windows. Interior humidity levels should be reviewed and adjusted as required to reduce the risk of condensation related issues, while still maintaining comfort within ones unit. As outdoor temperatures drop, so should the humidity in your unit.

Something to consider is whether or not there is enough air flow getting to the windows to remove moisture from the window surfaces. Reducing the amount of air flow getting to windows, may cause the interior surfaces of the windows to become cold enough to reach temperatures below the dew point (the temperature at which condensation can occur), which results in the formation of condensation when warm moist air comes in contact with the colder surfaces. Leaving your window treatments open to allow air flow to the windows may be



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enough to reduce or eliminate condensation forming on your windows.

Moisture from condensation on windows could enter wall assemblies through the window frames and continued wetting of the wall assemblies could potentially cause damage to the wall framing and finishes.

If there is moisture or frost on the exterior of your windows, don't worry, that is just outside weather conditions.

Drafty windows and doors

Drafts around window and door perimeters can allow heat loss through the windows and doors. Air leakage may occur through deteriorated or missing weather-stripping and door sweeps, and window openings or door slabs not installed flush or plumb. Sometimes ice may form around the perimeter of window and doors openings, which may cause difficulty in operating them. Review of the windows and doors could identify issues that need to be corrected. This could be as simple as an adjustment of the units or possibly replacement of weather-stripping and seals.

Condensation between window glass panes in double and triple glazed windows

A perimeter seal is installed around the triple or double glazed units to keep the cavities between glass panes air and water tight. Condensation can form between panes of glass when the perimeter seal has failed, allowing air and moisture to enter the cavities between the glass panes. This can cause condensation to occur between the panes, affecting the thermal performance of the glass units. Replacement of failed sealed glass units is required to maintain the thermal performance of windows.

Symptoms of poor building envelope performance during the winter months may help to identify underlying ailments that need to be cured. Catching the symptoms early may prevent bigger issues in the future. Contacting a Building Envelope Consultant can help with evaluating the building envelope performance and may reduce overall costs of repairing issues in the long term.

Niall McCarra is a building envelope specialist in the Edmonton office of RJC Engineers. He works on both new and existing buildings and has a good understanding of how buildings perform.



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UPCOMING AMENDMENTS TO THE CONDOMINIUM PROPERTY ACT

BY HUGH WILLIS

On October 11th, 2017 the Lieutenant Governor in Council proclaimed sections within the Condominium Property Amendment Act as well as amendments to the Condominium Property Regulation. While there are many changes, here are 5 items from the amendments which condominium owners, boards and corporations will want to be aware of.

#1 – Additional Standards for Board Members

We suspect this will be an evolving issue and subject of much discussion within the condominium industry. As of January 1st, 2018 there will be additional standards for Board members. Currently, the standard for Board members is to act honestly and in good faith, with some additional obligations when a conflict of interest may arise. This is changed with the amendment which reads:

28 (2) Every member of a board, in exercising the powers and performing the duties of the office of member of the board, shall

(a) Act honestly and in good faith with a view to the best interests of the corporation, and

(b) Exercise the care, diligence and skill that a reasonably prudent person would exercise in comparable circumstances

Of note within clause (a) is the addition of the phrase “with a view to the best interest of the corporation”. This will clarify (for some) that the board is obligated to act in the best interest of the corporation with each decision. For many, this duty was already understood.

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Clause 28(2)(b) is a very significant change. Now each person will be held to the standard of a “reasonably prudent person”. This concept is seen elsewhere in numerous pieces of legislation. The Courts have held this phrase to mean that a person is required to meet the objective standard of what a reasonably prudent director would do. Where decisions have been made honestly, prudently and on rationale grounds, the Courts will be reluctant to overturn. Under this amendment, the questions to be asked of Board members include:

- *Was the decision reasonable in light of all the circumstances that the director knew or ought to have known?; and*
- *Was there an appropriate exercise of diligence and prudence completed prior to making the decision?*

We encourage healthy discussion with your owners, board and managers over how this change will affect your corporation.

#2 – Notice and Documents In Advance of an AGM

Section 30 has been amended to require at least 14 days’ notice before Corporation meetings, including an annual general meeting.

In addition, Corporations must also provide the following documents 14 days in advance:

- (a) *Financial statements (according to generally accepted accounting principles)*
- (b) *Reserve fund report for the past year*
- (c) *Budget*

#3 – Petitions and Owner Demanded Meetings

Section 30.1 is added. This section compels a Corporation to call a meeting of the Owners within 30 days after receiving a petition signed by Owners representing at least 1,500 unit factors.

In creating the petition, the Owners must state the general nature of business to be discussed.

In response, the Board must send notice to the Owners including the suggested resolution to be voted upon.

From a practical perspective, when these situations arise the communication between Owners and the Board is often broken. The likelihood that the Board will be able to fully know the resolution to be voted

upon is low. As a result and to help focus the meeting, we encourage the party preparing the petition to put the wording of the proposed resolution within the petition to remove the guess work of what will be voted upon.

#4 – Notification of Changes to Insurance

As of January 1st, 2018 the Corporation must provide the Owners written notice of any change in the insurance policy within 30 days of when the Corporation receives the insurance certificate. This will include a change in:

- (a) The amount of the deductible
- (b) The replacement value of the coverage
- (c) Any addition to permitted exclusions, and
- (d) Anything else required in the Regulations

#5 – Addition of Electronic Methods to Serve Notice on an Owner

Section 71.1 is added to identify methods how the Corporation may provide written notice to an Owner.

Section 71.1(1)(c) states that the Corporation may serve notice by:

“(c) electronic means to an electronic address that the owner has specifically provided as an address to which information may be provided by those electronic means”

Conclusion

These are just 5 of many other changes. CCI will be providing education sessions on these changes and more. We encourage you to stay informed.

Hugh Willis is a condominium lawyer with Willis Law and Co-Chair of the Government Advocacy Committee of CCI North Alberta. He has been very involved on behalf of CCI with the upcoming legislature changes.

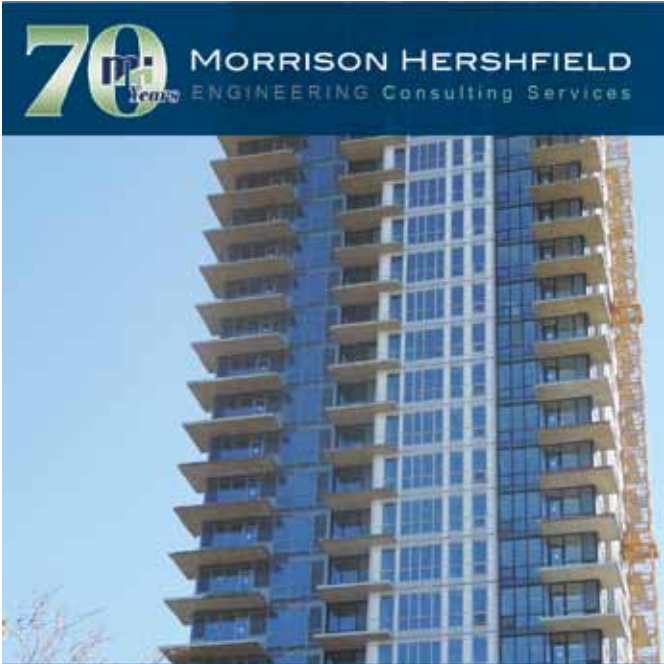


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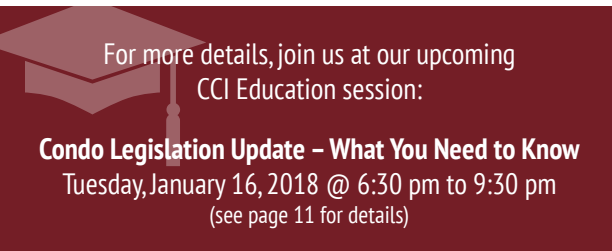
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For more details, join us at our upcoming
CCI Education session:

Condo Legislation Update – What You Need to Know
Tuesday, January 16, 2018 @ 6:30 pm to 9:30 pm
 (see page 11 for details)

CONDO CASES ACROSS CANADA

We are pleased to showcase the work of condominium lawyer James Davidson, LL.B., ACCI, FCCI whose labour of love over the years has produced an amazing amount of brief summaries of recent Condominium Court decisions. To view the judgement transcript of the featured cases or to review other Canadian condominium case law, CCI members can visit his website at www.condocases.ca and use the password condocases for access.

1597130 ALBERTA LTD. V. CONDOMINIUM CORPORATION NO. 1023241 (ALBERTA COURT OF QUEEN'S BENCH)

04/04/16 – Jurisdiction Alberta

Court determines voting rights for purposes of special resolutions

The Court-appointed administrator applied for an order declaring that a special resolution had been validly passed. Under the Condominium Property Act, a special resolution requires voting approval from both (a) a majority of at least 75% of the persons entitled to vote and (b) owners representing 75% of the unit factors. The second requirement was clearly met in this case. In terms of the first requirement, the Court noted two possible interpretations:

Interpretation #1: *If an owner owns two or more units, that*

owner still only counts as one "person entitled to vote;" or
Interpretation #2: *If an owner owns two or more units, that owner counts as a "person entitled to vote" for each of his or her units.*

In this case, one of the owners owned 18 of the 24 units (and had voted in favour of the resolution). The Court adopted the first interpretation. The Court said:

Logically, once an owner or mortgagee becomes a "person ... entitled to exercise the powers of voting," that person does not then become multiple persons simply because they own multiple units. That owner is still one person.

The Court accordingly held that the special resolution had not been passed.

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[The Court also noted that proposed amendments to the Condominium Property Act specifically provide that “an owner has the right to vote with respect to each unit owned and, where required, the right to vote the unit factors for each unit owned”. But the Court said: “However, as those amendments are not yet in force, the current language of the CPA governs.”]

IN THE MATTER OF GRANDIN MANOR LTD. (ALBERTA INFORMATION AND PRIVACY COMMISSIONER)

07/03/16 – Jurisdiction Alberta

Condominium Corporation did not have consent to use surveillance video to identify ‘elevator scribbler’

The condominium corporation had installed various surveillance cameras on the common elements. Notices at the building entry indicated that the “Building is Monitored by Video Surveillance”. One of the owners had scribbled comments on a notice posted in the elevator. This was captured by a surveillance camera in the elevator. The condominium corporation purported to use the video footage to enforce alleged violations of the corporation’s by-laws (namely, the scribbling). The owner

asserted that this use of the surveillance footage was a breach of privacy under Alberta’s Personal Information Protection Act (PIPA). The Adjudicator agreed.

The Adjudicator noted that the owners in the condominium had authorized the installation of the cameras. Visitors to the building were also notified of their presence. The Adjudicator found that all persons on the property had impliedly consented to surveillance specifically for the purposes of security and prevention of criminal conduct. However, the Adjudicator held that the surveillance footage could not be used as intended in this case (ie. to identify the scribbler).

The Adjudicator noted that consent is not necessary in order to collect personal information reasonably required for the purpose of an investigation in support of a potential legal proceeding (including enforcement of a condominium’s by-laws). However, in this case the Adjudicator said that consent was required to use the surveillance footage to identify the scribbler, because in this case there was no evidence of a clear violation of the corporation’s by-laws.



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ANDRUSKI V. STRATA PLAN LMS3199 (BC HUMAN RIGHTS TRIBUNAL)

10/03/17 – Jurisdiction British Columbia

Court determines voting rights for purposes of special resolutions

The claimant had been a resident in the condominium since 2011. She said that she has a disability, namely extreme sensitivity to scents and chemicals, both natural and synthetic. Exposure to such scents causes her shortness of breath, migraines, confusion, dizziness, vomiting, exhaustion, muscle aches, and burning lips and eyes. In her unit, the claimant had experienced ingress of the following scents that have exacerbated her disability:

- fabric softener used by her neighbor;
- cigarette smoke;

- diesel from construction trucks related to a remediation project at the complex.

The strata corporation did take some steps to try to accommodate the claimant:

1. General warnings and letters to specific neighbours (about cigarette smoke and fabric softeners);
2. Changing the gym rules to request that users not wear scented products;
3. In relation to the diesel fumes, the contractor providing two air purifiers for the claimant's use, which didn't solve the problem but helped to avoid severe reactions.

The strata corporation applied for dismissal of the claim, arguing that there was no reasonable prospect

that the claim could succeed. The strata corporation's application was dismissed. The tribunal said:

In (the case of Leary v. Strata Plan VR1001), the Tribunal set out a number of steps to guide stratas in navigating their accommodation obligations. The Tribunal said that a strata council must, among other things:

Address requests for accommodation promptly, and take them seriously. A strata should consider how it will process accommodation requests on a timely basis, including between council meetings. For example, the strata council should ensure that someone is responsible for receiving such requests and promptly beginning the accommodation process.



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Gather enough information to understand the nature and extent of the need for accommodation. The strata is entitled to request medical information that is related to the request for accommodation. It is not entitled to any more information than is strictly necessary for this purpose. If the strata requests further medical reports, it should be at the strata's expense.

Restrict access to a person's medical information to only those individuals who are involved in the accommodation process and who need to understand the underlying medical condition. The strata council should keep medical information confidential from the general membership of the strata.

Obtain expert opinions or advice where needed. For second-hand smoke, a "sniff test" undertaken by another strata member will rarely be sufficient to evaluate the extent of a problem with smoke in a suite. The strata may have to retain air quality experts. The strata should pay for any tests or expert reports.

Take the lead role in investigating possible solutions. Co-operate with the person seeking accommodation to constructively explore those solutions.

Rigorously assess whether the strata can implement an appropriate accommodation solution. In doing so, the strata may have to consider the financial cost and competing needs of other strata members with disabilities. In some circumstances, a solution may not be possible without the strata suffering an undue hardship. In that case, the strata council should document the hardship and test its conclusion to ensure there is no other possible solution.

Recognize that the strata cannot, through its membership, contract out of the Human Rights Code. This means that a strata cannot rely on a vote of its membership to deny an accommodation.

Ensure that the strata representatives working on the accommodation are able to approach the issue with an attitude of respect. Members of a strata council whose behaviour risks undermining genuine efforts at co-operation and conciliation may need to be removed from the process.




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Author's Note - There is little evidence before me that the Strata did much of the above, nor to allow me to conclude that it is reasonably certain the Strata would establish that it accommodated Ms. Andruski to the point of undue hardship, were the matter to proceed to a hearing.

HARVARD DEVELOPMENTS INC. V. PARK MANOR CONDOMINIUM CORPORATION (SASKATCHEWAN COURT OF QUEEN'S BENCH)

**23/03/17 – Jurisdiction Saskatchewan
Court declines to overturn by-law
dealing with apportionment of condo-
minium fees**

Pursuant to Section 48 of the Condominium Property Regulations, the condominium corporation passed a by-law (with written consents from owners of at least 75% of the units) to provide for apportionment of common expenses on a basis other than unit factors.

Two owners applied, pursuant to section 49 of the regulations, for an order preventing the condominium corporation from proceeding with the by-law amendment on the grounds that the by-law was oppressive, unfairly prejudicial, or unfairly disregarded their interests.

The Court declined the requested order. The Court said:

Furthermore, I cannot conclude, based on the evidence, that Park Manor's actions in this case were unfairly prejudicial, or that they unfairly disregarded the interests of Harvard and Western. Park Manor began its inquiry into the apportionment of common expenses based on a question raised by one unit owner. The matter was subsequently explored, investigated, debated, and canvassed at a duly constituted special meeting of the owners. Each of the unit owners had the

opportunity to attend the meeting and participate in the discussion. Each of the unit owners had the opportunity to "vote", by either consenting or not consenting to the proposed amendment. The scheme of apportionment was approved through a form of democratic process, specifically provided for in the relevant legislation.

Furthermore, the scheme of apportionment that Park Manor has chosen is not arbitrary, and there is nothing inherently unfair about it. It is based on the size of each unit. It is concrete, ascertainable, and attached to a characteristic of each unit that makes sense in the context of real estate.

James Davidson, LL.B., ACCI, FCCI has been practicing condominium law for over 30 years and is one of the founding partners of Davidson Houle Allen LLP in Ottawa, Ontario.



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HOW TO KEEP YOUR CONDO OWNERS INFORMED

PART ONE

BY RAFAL DYRDA

One of the most common complaints from owners and residents in the condominium and residential industry is that they have no idea of what's going on in their condo.

Fifty-one percent of all owners living in condos complain that they are ill-informed, especially when issues or problems arise.

Many will tell you that communication from the board is not only lacking but non-existent.

It was for this reason that I joined my board. I was tired of being kept in the dark and I was afraid of not knowing what might happen to the value of our home in the coming months and years.

As soon I joined the board I quickly realized that communication from the board to its owners was the main problem. It wasn't special assessments. It wasn't repairs. It wasn't water leaks. It wasn't elevator outages. It wasn't a rise in condominium fees. It was the lack of communication.

So why is this such a big problem?

The board carries a lot of responsibilities on its shoulders; the list of issues and their complexity can be overwhelming, especially for most board directors who are short on time and expertise. But the board should never lose sight that one of its key functions is to keep owners informed. Owners will appreciate it and your board (and the condo) will function with harmony and efficiency. The alternative is chaos and never-ending complaints.

So where do you begin to understand and solve this challenging problem? Let's start by taking a quick look at the underlying causes.

1. TIME

Board directors lack the time or commitment to make communication a priority. They are volunteers who want to spend as little time as possible working on additional “condo stuff.” They believe that attending meetings is enough to ask of them. Beyond that, they become resentful and resistant.

2. INNOVATION

Boards aren't typically innovative enough to figure out how to solve their communication problems—and they are afraid of change. As a result, problems become worse, complaints increase, often making board members' lives miserable.

I was one of those owners myself

when I got up and released my fury at the first Annual General Meeting I ever attended. In the face of the barrage of continual and angry complaints, I understand why board members can get discouraged, and why their willingness to help and participate decreases over time.

3. FEAR OF ACCOUNTABILITY

A board's lack of communication is often intentional. Board directors can become afraid of what the owners will think of their decisions and how they're running the condominium. Similarly, management companies can fall into this trap by neglecting to inform the board about the progress of tasks or issues, in the (usually false) hope that the board won't hold them accountable for their actions or

lack thereof.

4. LACK OF FEEDBACK

Without proper feedback from the owners, the board doesn't always know if they're making the right decision. We as board members try to make the best decision with the information we have been presented. However, at times the information simply isn't enough.

Here's an example of how good communication can make all the difference:

Several years ago our condo board decided to give our gym a little facelift. We were thinking of replacing older equipment with some new gear. At the board meeting, we looked



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at everything that was in the gym but were uncertain what to replace. Some gear was still in good shape, some looked like it was in good shape, but none of the board members used the gym on a regular basis. Our budget didn't allow us to replace everything, so we decided to ask our owners for suggestions. We received quite a bit of constructive feedback and our decision ended up being quick and painless, to everyone's satisfaction.

Communication is more than just informing owners of what is happening. It's part of running a successful condominium. Since most board members don't have the experience running a condo, communicating with the owners is one of the most valuable channels for getting feedback and advice to help the board make the proper decisions.

Open channels from the board to the owners also create transparency. Transparency, in turn, generates trust. This doesn't mean you ask owners or your community for feedback on every decision you make, but it means that you keep them in the loop. The result is they will feel you care about them and are genuinely looking out for their interests, and that the right people are at the helm. You'll find, as trust builds, that complaints will

naturally decrease.

Keep in mind that most people complain and get angry about a problem or situation because they don't understand it. If they don't understand what's going on, people inevitably start coming to their own conclusions. Gossip spreads and people make up stories that have little basis in reality. We see the same thing on TV shows, social media sites, and various news channels, where conclusions are constantly being reached without the benefit of all the information.

What should you communicate to owners and residents?

Now that you have an understanding of the underlying problem, let's talk about possible solutions. First, we'll take a look at the "what" followed by the "how." The what focuses on what information you need to communicate to owners, while the how addresses the means and best practices for doing so.

1. NOTICES

Notices or alerts that are provided to owners or residents need to be informative. If a notice only states that "Water will be shut off on Monday," it will create more questions and concerns—and residents will naturally

start to worry. If you provide more detail, such as: "Water will be shut off on Monday, Wednesday, and Friday due to the replacement of piping to prevent future water damage and leaks to units and common property," your community will understand why such maintenance is required. Thus, fewer questions and complaints will result. It's a win-win for everyone.

2. CHANGES IN THE BOARD OF DIRECTORS

When a director joins or leaves the board or a position changes, such as a new president is elected, let your owners know right away. This makes owners feel comfortable in knowing that there is someone looking after their home, their investment, and capably taking care of the day-to-day operations of the condominium.

3. CHANGES IN POLICIES OR BYLAWS

Don't delay in informing owners of important changes in policies or bylaws. If owners aren't aware of new rules, you can hardly expect them to comply. You don't want people to be surprised when they receive a letter from the board or the property manager informing them of an infraction or a fine they knew nothing about.

4. MAINTENANCE

You need to keep your residents and




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community informed at all times of any maintenance issues or work that affects their unit or common property, such as the elevators, the garage doors, security systems, access to the building, and so on. Make sure everybody knows about these in advance. You don't want to be the kind of board that informs the owners the day of the repair or shutdown. Give owners several days notice and keep them updated as work progresses. Otherwise, you will constantly receive complaints from angry owners.

Of course, there are emergencies that can't be planned for or anticipated but let owners know as soon as possible with an explanation of what has happened. As long as they are informed and provided with updates it's more likely they will trust the pro-

cess and your decisions.

5. CHANGES IN FINANCES OR MAJOR EXPENSES

One of the most important areas to communicate to your owners is any change in finances or major expenses. Especially when you are planning to increase contribution fees, such as condo fees. Most owners don't understand how condo fees work and what they are used for. So it's critical that the board not only give owners a heads up but also provides a clear explanation as to why such an increase is necessary.

Utilities, insurance fees, and labor prices go up. It's the nature of business. However if your owners only receive a notice that the monthly fees are going up, without an explanation,

they're going to get angry. They may blame the board of directors, and it's likely they will start questioning every single decision the board makes. They'll start asking, "Why are our fees constantly going up? Is the board collecting the money and putting it into their own pockets? Are they paying themselves? What's going on?"

6. THE ANNUAL GENERAL MEETING

In order to ensure a good turnout, give owners a 30-day notice of the Annual General Meeting (AGM) and other events. Their participation is valuable, as it aids the board in understanding issues and making good decisions. It also creates goodwill and trust, which makes the board's job easier.

Some boards that I've worked with are very strict on the rules and say,



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"Our bylaws state that we only have to give 15 days' notice and that's all we're going to give." Condominiums are not a monarchy. Remember, you live in the same community as your neighbors do, so be considerate and understanding. Give owners a little bit of notice so they can actually plan for this event. It will also help ensure that you meet the quorum required. Otherwise, you may have to reschedule the meeting.

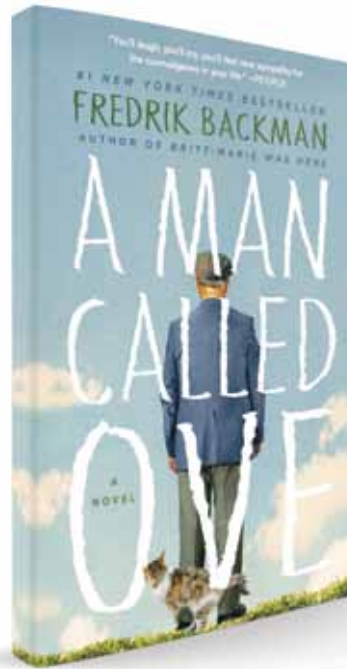
7. COMMITTEE MEETINGS

Make sure you also inform your owners and residents about committee meetings. Whether it's communications committee, a membership committee, or an events committee, let your owners know so they have a chance to attend and perhaps volunteer and contribute their energy and expertise to helping the condo run better. You never know when you'll get that one great owner that will change things for the better.

Additionally, make an effort to inform your owners and residents about neighborhood events and activities. This is a good task for the communications committee. When owners participate in such events, it builds a strong community and helps owners feel a part of something bigger.

Reprinted with permission from "The Condo Board Survival Guide - How to Keep Your Owners Informed and Happy, Get Work Completed on Time, and Spend Less Time in Board Meetings!"

Rafal Dyrda is the founder of GeniePad, a condominium communication and collaboration platform, the author of The Condo Board Survival Guide book, and the host of The Condo Web Show.



Read the New York Times bestseller that has taken the world by storm!

Meet Ove. He's a curmudgeon—the kind of man who points at people he dislikes as if they were burglars caught outside his bedroom window. He has staunch principles, strict routines, and a short fuse. People call him "the bitter neighbor from hell." But must Ove be bitter just because he doesn't walk around with a smile plastered to his face all the time?

Behind the cranky exterior there is a story and a sadness. So, when one November morning a chatty young couple with two chatty young daughters move in next door and accidentally flatten Ove's mailbox, it is the lead-in to a comical and heartwarming tale of unkempt cats, unexpected friendship, and the ancient art of backing up a U-Haul. All of which will change one cranky old man and a local residents' association to their very foundations.

"The book captures the power of human relationships while living in close proximity to one's neighbors. The author is able to make the reader smile and laugh at life while coping with other people. I highly recommend this book and I am absolutely ecstatic that Tom Hanks will be starring in the role of Ove in an upcoming movie.

A wonderful read if you live in a Condominium." – Joanna Pauline

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WINTER 2017



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Renew Services Inc.	Richard Nelson	(780) 544-8060	info@renewservicesinc.ca
Resort Development Funding Corp.	Randy Westergaard	(403) 728-3010	randy@mylakeresort.com
Safety Coordination Services	Ted LeTourneau	(780) 485-3585	ted@safetycoordination.com
SafewithUlli o/a Safe With Ulli Inc.	Ulli Robson	(780) 288-2986	ulli@safewithulli.com
Saucey's Traveling Tool Box Ltd.	Jason Gordon	(780) 717-6275	jason@sauceys.ca
Seasonal Impact Contracting Ltd.	Keegan Andreas	(780) 504-1317	estimating@simpact.ca; marie@simpact.ca
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ServiceMaster of Edmonton	Grant Miller	(780) 443-4338	Shaeli.King@svmrestore.ca
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Shaw Cablesystems G.P.	Larry Kennedy	(780) 490-3638	larry.kennedy@sjrb.ca
Solstice Landscape Maintenance	Sarah Wells	(780) 297-5661	sarah@solsticelandscape.ca
Solution 105 Consulting Ltd.	Chris Vilcsak	(780) 429-4774	timinski@solution105.com
Sunshine Cleaning Services Ltd.	Robert Hennigan	(780) 477-7067	sunshinecleaningsltd@gmail.com
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The Junk Guys	Mike Wheeler	(780) 695-4226	info@thejunkguys.ca
Trauma Scene Bio Services Inc.	Mike Wiebe	(780) 416-8464	info@traumascenebio.ca
Unusual Attitude Service	Sandra Deuchar	(780) 352-9277	sandra@unusualattitude.ca
Urban Systems Surveys Inc.	Bruce Drake	(780) 430-4041	bdrake@urbansystems.ca

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Meyers Management Consulting Group	Tracy Meyers	(780) 748-2500	info@mmcg.ca
Pinnacle Realty & Management Inc.	Rick Murti	(780) 758-4434	rmurti@pinnaclemgmt.ca
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Royal LePage, The Realty Group Grande Prairie - Property Management	Angie Peters	(780) 532-3400	angiepeters@royallepage.ca
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Wade Engineering Ltd.	Allan King	(780) 486-2828	aking@wadeengineering.com



Disrupting A 6 Billion Dollar Industry:

A Story Of Two Condo Boards In Northern Alberta Who Chose Two Completely Different Paths...

On a dark, crisp, winter's evening, approximately a year ago, two condo boards had their AGM. Both chose new boards.

Both boards were alike. Each had 8 members representing a similar number of total units and average age. There was equal representation of men and women with similar past board and business experience. All had the same outcomes in mind for their term.

Both boards were eager. Their philosophy was to run the board as a business, not a social club, thereby improving on the status quo. This would in turn have a positive impact on the lives of their owners, while being fiscally responsible and protecting and growing their investments.

Looking back over their term, there was a distinct difference between the boards. One was effective, efficient, thoroughly enjoyed their time on the board (even considered another term), and owners literally praised their progress. The other had dysfunctional communication which infuriated owners, went over budget, were left liable for an oversight on a major building upgrade, and wanted to resign.

What Was The Difference?

It came down to a single choice each board made.

Who would they partner with for property management?

Taking the time to research for a reputable PM company is essential to success in our unregulated industry - board members take on major risk and financial responsibility while volunteering their time.

Managing your condominium, when done right, is largely a predictable process. When done wrong, can leave owners exposed and the board liable.

On the outside, PM companies appear somewhat similar - **they are not.**

The successful board did their research. They wanted a team whose expertise and experience could guide them in all aspects of Property Management, including construction, asset management, maintenance, accounting, operations and more.

They wanted integrity and trust to be an integral part of their PM partnership. They didn't want to be "just another number".

They wanted to make informed, objective decisions about next steps - they know "knowledge is power".

They found industry leading technology that made their role

effective and communication with all stakeholders timely - they know "time is money".

Their PM company had a full-service maintenance team with proven systems. This allowed them to track required maintenance from request to fulfillment, ensuring items were addressed quickly and more cost efficiently.

Financials and reports were always accurate and up to date. Relationship management was a key focus and as such meetings were always professional and organized.

There were seamless, turn-key processes in place. This got them up and running quickly, so transition was smooth.

It became clear when the successful board engaged Mayfield Management Group Ltd. and enrolled in their **Trusted Condo PM Program**, they had made the right decision.

The other board didn't take the time to perform due diligence on their PM company and it turned into their worst nightmare, leaving them at risk of being held liable.

Which path will your board choose? Mayfield Management Group Ltd. ~Committing to excellence in everything we do.



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Questions? Give Us A Call Toll Free:

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Small enough to know you.

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Residential and Commercial Condominium Management

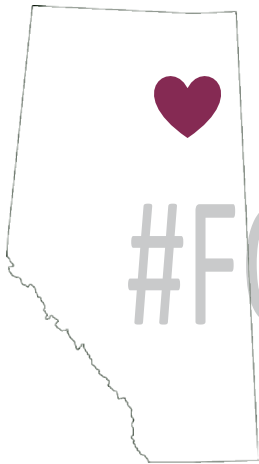
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Call us, we want to hear from you.

CALL US 780-743-4295

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free experience!*

Get to know us...



For Fort McMurray owners affected by the recent wildfires, please note: As an owner, you are required to contact your insurance provider as soon as possible. You should start a claim for alternative living expenses while you are displaced from your homes in Fort McMurray. Once

permitted, Fort Management will work alongside insurance adjusters to have the common areas of the properties assessed. We are working diligently to ensure that our owners have the most up to date information as possible and are putting forth our best efforts to ensure the most seamless transition back into our properties. We do appreciate your patience during this trying time for our community.

Locally owned and operated, Fort Management was established in 2007. Over the years we have continued to grow in both size and credibility within the management industry. We work hard to ensure the day to day operations of your corporation run as efficiently as possible. Our management team is proud to offer the following:

- Condominium Property Management- Commercial & Residential
- Full Services- Administration, Financials, Daily Operations, Estoppels.
- Caveats
- Bookkeeping service
- In-house commissioner of oaths
- 24-hour emergency after-hours service

Our office is open Monday to Friday 8:00AM-5:00PM, however we are always available to assist you. Should you have an inquiry outside of office hours, do not hesitate to call or email us, as we are ready and willing to help. Our service fees are based on your Corporation's needs, so please, don't hesitate to contact our office for a personalized quote!

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