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VOL. 36, ISSUE 4 - SUMMER 2021



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North Alberta Chapter



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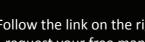
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MESSAGE PRESIDENT FROM THE PRESIDENT

BY ANAND SHARMA

W ELCOME TO THE SUMMER EDITION OF THE INSITE TO CONDOS MAGAZINE

CCI North Alberta has just completed hosting our first virtual condominium expo to much success! More than 350 individuals participated in lively and engaging sessions with exceptional presenters. While an in-person conference and educational experience is greatly missed, our volunteers, staff, and you the members made this a memorable event. Thank you to Beverley Thornton, Lesley Thompson, Pamela Aranas, and our amazingly talented Executive Director Amanda Henry for organizing a fantastic event.

As vaccinations increase, and COVID cases continue to decline, CCI North Alberta is preparing to transition to the "new normal." This new normal will involve once again offering in class sessions along with more online educational experiences for the upcoming 2021-2022 year. Led by our Education Committee Chair Susan Milner, CCI is working tirelessly this summer on curating a strong educational calendar. CCI will be increasing staff support to assist with this, as well as help support condominium managers as they prepare for licensing.

Our membership renewal is in full swing! Our office has already sent out renewals to current members this year. I urge all members to renew immediately, and I challenge each one of you to recruit one new member to join our organization and grow our CCI family. Our Ambassador Referral Program allows you to receive a \$50 credit for each new member referral, that can be used towards any CCI event, membership, or advertising in our magazine.

I would like to take a moment to touch briefly on the 2021 Golf Mixer. At our last Board of Directors meeting, we decided to proceed with hosting our annual golf social on September 10. This is contingent on the status of AHS guidelines and the pandemic. Our member safety is paramount, and we will only proceed with this event if we are confident we can do it safely. Registration is open now.

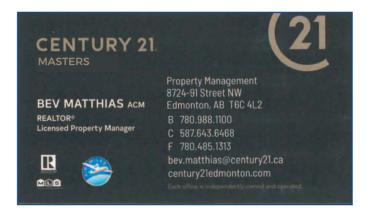
Your CCI Board will be meeting in July to work on our strategic plan. Expanding education, increased government advocacy, providing better opportunities for business member interaction, and building stronger and more effective communication within our CCI community are just a few areas we will be reviewing.

To be clear, we must continue to innovate and expand member services to provide value to you. The membership experience is our focus, and I invite you to share ideas and thoughts to allow us to better serve you.

Thank you for continuing to be a part of CCI North Alberta. Your continued support is key to our chapter's success. On behalf of the Executive and Board of CCI North Alberta, we wish you a restful summer with the hope that you may reconnect with your friends and loved ones.

Anand Sharma

President, CCI North Alberta





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CONDOMINIUMS AND MUNICIPAL ELECTIONS

All Alberta municipalities and school boards will be having elections on October 18, 2021.

While it's great to have the chance to exercise our democratic rights, municipal and school board elections have some implications for condominium complexes. Condominium corporations have a balance to strike between protecting the common property and maintaining building security and respecting the democractic process, including owners' rights to democratic participation.

New this year, the campaign period started on January 1, 2021. This means that once candidates have had their nomination filed and accepted by their local returning officer, the campaign can begin. As a result, you may already be seeing election signs. Municipalities set the rules for when campaign signs must be taken down before the campaigns will face fines and sanctions.

COVID-19 Impacts

Election day is still a few months away and a lot could change with COVID-19 restrictions between then and now. Campaigns are subject to public health restrictions. The best place to find up to date information on COVID-19 public health restrictions is the Government of Alberta website at www.alberta.ca/covid.

Election signs

Whether you think they're a welcome decoration or a bit of an eyesore, election signs are a fact of campaigning. Without proper planning they can cause a lot of conflict in condominiums.

During municipal elections, election signs can be placed on private property with the permission of the owner. In condominiums this seemingly simple rule can create a lot of confusion, as how it works in practice depends on the style of condominium, the condo plan, and the condominium bylaws. Owners may assume that they can display election signs on their own private property, but it is very important to consult the condominium bylaws, as it is possible that display of election signs is restricted. On any common property including exclusive use common property such as balconies or fences, the condominium bylaws and rules should be consulted to see if signs can be displayed or if there are particular permissions or restrictions to keep in mind. For example, some condominiums have rules around what materials can be used to secure items to balcony railings.

Things to do prepare for election signs:

- Check your municipality's election information and sign bylaw to see what the rules are in your area.
- Check your condominium bylaws and rules to see what they say about election signs. It is important to note that condominium bylaws cannot contradict or overrule municipal bylaws.
- Communicate clearly with owners about the rules. In many municipalities there are no specific rules about how far in advance of the election signs can be displayed on private property, so you may already be seeing signs pop up.
- Some property management companies place signs on properties that they manage. In condominiums, Unit Owners own their Unit and the Board manages the common property. What is displayed on the Unit and the common property may potentially be subject

to your bylaws, Rules and any agreement in place with your property manager. The Board should proactively communicate the requirements for signage to make sure the Board, property manager, and Unit Owners, are on the same page.

Whatever the rules are for your condominium, it is very important to be impartial and non-partisan when it comes to enforcement. The owners and tenants in your building must respect the rules, but they are entitled to be treated equally when it comes to participating in the democratic process.

Candidates and campaigns accessing property for campaign purposes

In a typical election, candidates and their volunteers often go door to door to deliver campaign literature and speak with voters. Access and security in multi-unit residential buildings including apartment-style condominiums is always a tricky issue.

Under the Local Authorities Elections Act candidates and campaign workers are granted the right of free access to residential units including those in multi-unit residential buildings for the purpose of campaigning. This means that condominium managers and condominium corporations are required to permit a candidate or campaign worker access to buildings provided they have the appropriate identification with them. It is a violation of the Act for any person to obstruct or interfere with the free access of the candidate or campaign worker once inside the multiple dwelling site.

This year, this issue is even more complex than usual, as campaigns are required to adhere to COVID-19 restrictions.

Things to do to prepare for campaigning:

- Check www.alberta.ca/COVID regularly to keep up-to-date on public health restrictions in your region.
- Check municipal bylaws and resources on COVID-19 and the election process.
- Clearly post signage about what precautions visitors to your building are expected to take to respect residents and stay safe including information about whether masks are encouraged in common property. At the time of writing, some municipalities require masks in common property in condominium complexes, so the Board should check what the rules are in your area.
- Boards may want to work with your property manager to develop standard information that will be provided to campaigns requesting access to your building to save time on responding to these requests.
- Over the summer and in early September, Boards may want to share some reminders with residents about what the rules are for admitting visitors into the building and share any information you have about the rules to be followed by campaigns accessing your building.

Municipal and school board elections can be a stressful exercise for condominium corporations and managers, but with a little bit of planning, hopefully the 2021 elections are headache-free. And don't forget to vote on October 18!



STEVEN DELUCA

Steven DeLuca is a Project Manager at EXP. He joined the CCI North Alberta Board at our last general meeting in 2020 and is the co-chair of the Communications Committee.

What led you into the wild and wonderful world of Engineering?

A: When I was kid going through school, I really enjoyed math and sciences which fits very well with the world of Engineering. I also was a big fan of building things, specifically with LEGO.

For those of us who aren't experts, what is forensic restoration and what do you like best about doing that work?

A: Forensic restoration is essentially being a diagnostic doctor for buildings. This involves a sick building whether it is water entry, air leakage, ice damming, thermal performance, etc. My job is to figure out the source of the problem and determine the solution. My favourite part about this work is the problem-solving aspect and the fact that each property is unique and presents different challenges.

What's the best piece of advice you would give to anyone who is interested in becoming a better project manager?

The advice I would give to anyone who is interested in becoming a better project manager is to be a good communicator. The success of any project comes down to the basics of communication to ensure all team members are on the same page. Clear communication allows each team member to understand the task, schedule and deliverables such that the client receives the best product possible.

What's one question you wish every board would ask when they get a building envelope condition assessment report done (and why)?

Maybe not a question but some advice I would give to every board going into a building envelope condition assessment is to make sure to get multiple proposals from qualified building envelope consultants. When you receive the proposals, the scope of work from each consultant will likely be different which affects the price.

It is important to not just quickly hire the consultant with the cheapest price but to understand the scope of work proposed by the consultant and ask questions if you are unclear about their scope. If I were a board member, I would want to see the specific personnel that will be performing the assessment as well as their resumes to see if they are qualified and have good experience. Also, don't be afraid to ask for references.

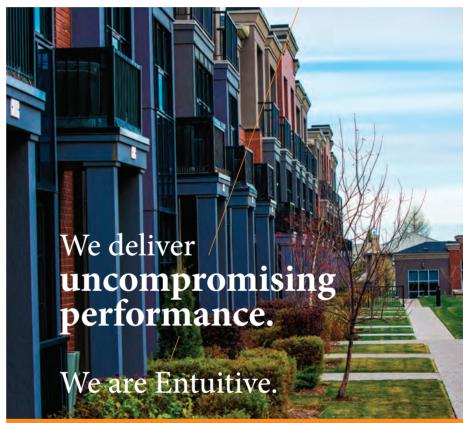
We understand you're a golfer. What's your favourite thing about the game?

Yes I am very much into golf. My favourite parts about golf are spending time outside with friends

and family while having a couple beverages, listening to music and having a good time.

Recommend a hidden gem to visit in Alberta for people who want to explore the great outdoors.

A hidden gem that I recommend visiting in Alberta is the Crowsnest Pass. My dad grew up in this area and we would visit for camping and skiing quite frequently growing up. Seeing the Frank Slide is always crazy no matter how many times you drive through it and the mountain backdrops are stunning.



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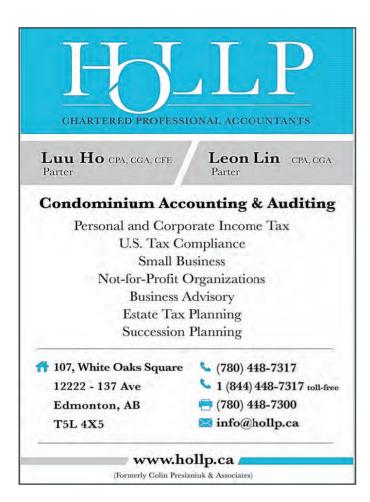
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Dear Members.

Our Government Advocacy team has been busy working on your behalf this year, and already into the summer. Our expert team continues to be engaged and responsive to inquiries and government consultations. I will highlight four areas in this report:

Condominium Management Licensing with RECA

The Real Estate Council of Alberta has recently concluded its examination of core competencies they feel education providers and industry members must teach and understand. This was released to the public on June 14, 2021.

CCI North Alberta has been well represented by our former Executive Director Alan Whyte who has served as our voice on the important Condominium Management Implementation Committee for nearly 5 years. His knowledge and dedication as staff support has enabled the competencies to be more focused on condominium. We are also grateful for the input and guidance provided by our industry council members, particularly Don Brown and Carrie Plett who are elected representative of our industry.

A longer article on licensing appeared on our website in June, I strongly encourage condominium managers to read it if you have not already done so.

Insurance in Alberta

In March, Government Advocacy Committee Co-Chair Hugh Willis hosted a series of Virtual Town Halls to discuss Alberta Condo Insurance. We were pleased to be joined by CCI South Alberta, the Condominium Owners Forum and Strathcona County Condominium Association who collaborated on the sessions. The town halls were very well-attended and informative. The discussions were very productive, and participants shared many concerns and ideas about what we can do together to solve the problems facing condominiums as they relate to insurance.

Changes to the Act and Regulations

Led by lawyers Victoria Archer, and Hugh Willis, our advocacy team have been deeply engaged with the Alberta Government on reforms needed to both the Condominium Property Act and Regulations. Unintended consequences and language clarifications are critically required in the areas of insurance, voting, and the ability to chargeback. We are hopefully that the Alberta Government and Service Alberta understand the important of legislative changes needed to provide clarity and protect the consumers.

Opposition to Sale of Land Titles

The Alberta Government announced that it was considering the sale of land titles in Alberta in the spring of 2021. 7 years prior, the Alberta Government tried to sell land titles however backed down due to concerns raised around privacy protection from private for profit and international companies as well as concerns about substantial increases in costs to consumers. These concerns ultimately shelved the plan.

These very same issues continue to exist today, however the Alberta Government would appear to be proceeding with the selection of

a vendor. CCI North Alberta has written to Minister Nate Glubish to consider allowing Land Titles to remain publicly owned and in the hands of trusted employees and the Government of Alberta. We have posted this letter on our website and encourage you to write to your MLA and the Minster of Service Alberta Nate Glubish to voice your concerns.

Prompt Payment Consultations

CCI North was represented by Amber Nickel in the government's review of Builder's Lien Legislation and timing of payments. We thank the government for including CCI North Alberta. Timelines for payment and registration of a lien for non-payment will be changing. See the Legal Corner in this issue for further details.

Replacement of Building Assessment Reports for Condominium Conversions

As you may be aware, the concept of the Building Assessment Report was removed from the new home warranty regime. For condominium conversions the legislation provided a provision that a replacement document could be created through the Condominium Regulations.

Thanks to Hugh Wills who attended the in-person sessions. Additional thanks to Victoria Archer who provided written commentary.

In closing, I want to thank the incredible advocacy team for their dedication and commitment to bettering the condominium industry. The committee is comprised of Hugh Willis (Willis Law), Todd Shipley (Reynolds Mirth Richards and Farmer), Victoria Archer (Gledhill Larocque), Melissa Stappler (Willis Law), Amber Nickel (Willis Law) and Dawn Mitchell (HUB International).

Anand Sharma & Hugh Willis Co-Chairs – Government Advocacy Committee











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REGIONAL SPOTLIGHT: FORT MCMURRAY

WE SAT DOWN WITH CHARLENE TURNER, A CONDOMINIUM SPECIALIST WITH ON SITE SOLUTIONS IN FORT MCMURRAY TO TALK ABOUT CONDOS.

Regional Spotlight is a new, semi-regular feature where we focus on the condo community or issues affecting condominiums in a particular municipality in northern Alberta. If you would like to be interviewed or contribute, please get in touch with us at info@ccinorthalberta.com.

We'd love to hear from you!

Photo Credit: Charlene Turner

In Regional Municipality of Wood Buffalo, 435 kilometers north of Edmonton, Fort McMurray is the northernmost place in Canada with a population of over 50,000. It's right in the heart of the boreal forest, and is also the heart of Alberta's energy industry, as the urban centre nearest to the oilsands.

Much like the rivers that run through it, Fort McMurray is bigger than you think and is constantly on the move.

Condo Life in Fort McMurray

Charlene Turner spoke with Insite to Condos to share insights on condo life in Fort McMurray from her 20+ years of experience in the condominium industry. Charlene initially went up to Fort McMurray as part of a condo management team in 1999. In 2019, she went up to help with a large insurance claim and never left.

One of the things that immediately stands out when you start looking at condo life in Fort McMurray is how intertwined residential development and the energy industry are. Charlene's team manages River Park Glen, a massive complex that started life as a company-built housing facility by one of the big oil sands companies. The building had subsequently been converted to condominiums spread across 4 condominium corporations.

That same condominium complex has 498 units. By Charlene's count, approximately 90% of those units are rentals. Such a low percentage of owner-occupied units creates some governance challenges. Tenants also tend to be highly mobile, so communication about rules and bylaws is near constant as the complex sees tenant turnover.

The local energy industry has a huge impact on operating condominiums in town. "We see a lot of units where the occupant is 7 days on, 7 days off, so they sit vacant while someone is either in camp or back home at their primary residence."

This creates some practical challenges: "We had a pipe burst in a unit where the owner was in camp. He was unreachable for 12 hours at a time when he was on shift. Coordinating the entry and repair work was tricky."

"There's also the challenge of competing with the plants for staff and contractors. They can always pay more." When the oil sands are busy, it can be tough for condominium management companies to keep good help.

Being in the North

Something that most Alberta companies know very well is how short our construction season is, but nowhere in the province is this more pronounced than in Fort McMurray. "Our construction season is VERY short. We can't really start pouring concrete before June 1, and it's not safe to plan for a project to go much past mid-September."

One of the other things that's unique to the Fort McMurray construction season is the prevalence of fly-in crews. It's common for companies to bring in seasonal help during peak season, and then fly in crews for off-season emergencies or projects. This can be expensive and create delays if you have an emergency, but with limited local boots on the ground, sometimes it's the only option.

Between the impact of geography and of the rhythm of the energy industry, conditions in the local real estate market can be especially volatile. "We have seen units sell for as little as \$15,000 by owners who had bought at more like \$80,000-100,000 only for prices to then rebound to \$50,000-65,000 in a matter of weeks." In the heyday of the last big oil boom, some of these units went for as much as \$300,000-375,000. "In a boom or bust community, the fluctuations can be hard, and fast."

The Fire, Floods, & Insurance

The wildfire of 2016 was an unprecedented natural disaster, resulting in one of the largest mass evacuations in Alberta's history.

Five years on, you can still see the fire's impact. And Mother Nature has not given Fort McMurray a break, with the last few years being punctuated by major urban flooding.

While all of the rivers are beautiful, condo managers in town anxiously watch the water levels. In the spring of 2020, ice jams along the Athabasca river caused major overland flooding and flooded downtown Fort McMurray, causing over \$500 million in damage to the area. "We were out on the property drawing chalk lines to see how high the water was getting."

Across Canada the condominium insurance market has seen sharp increases to premiums, but Fort McMurray has been a special case. In the aftermath of the fire, Fort McMurray condo owners saw premiums soar, and several buildings in the area could only secure partial coverage. The issue was so severe that

the Mayor of the municipality wrote to the Prime Minister to warn that the situation was nearing a crisis. One condominium in Fort McMurray saw a 690% increase in premiums between 2019 and $2020.^1$

1 Global News, November 21, 2019: https://globalnews.ca/news/6190783/insurance-premiums-jump-for-some-alta-condo-buildings/

The more things change...

At the end of the day, there are some issues that are common to all condominiums. While natural disasters in Fort McMurray have had out-sized impacts on local Insurance rates, condominiums across Alberta are wrestling with what to do about rising premiums and their overall approach to condominium fees.

Just like anywhere else, condominiums in Fort McMurray see their share of problem owners, and have to work to keep communication channels open and respectful. Trying to manage regular maintenance, noisy capital projects, and emergency repairs and maintenance while being respectful of owners and occupants with differing work and sleep schedules presents perennial challenges. And much like the rest of the prairies, Fort McMurray condos also have their share of burst pipes and water losses helped along by our spring and winter weather.

Why Fort McMurray?

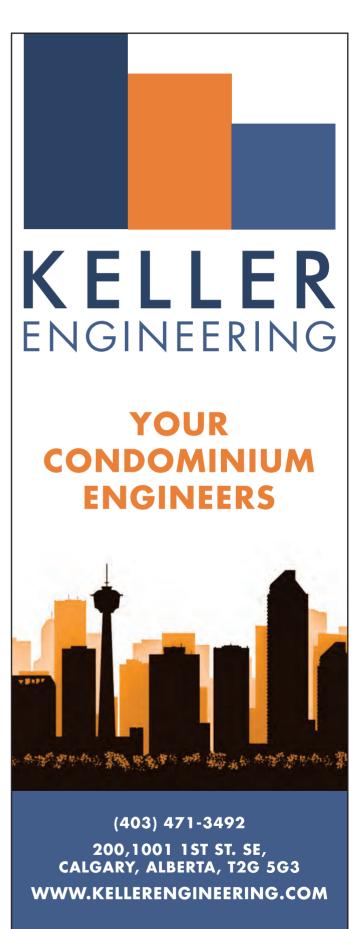
Charlene is now based in Fort McMurray and has no plans to change that.

The Regional Municipality of Wood Buffalo is a beautiful natural area. There is a dark sky preserve nearby and the municipality is full of stunning boreal trails and riverside paths. Fort McMurray is home to MacDonald Island Park (Mac Island if you're a local), a truly unique community and expo centre located on an island located where the Athabasca and Clearwater rivers meet.

In the popular imagination, Fort McMurray often conjures up images of a rough and tumble frontier town that's largely transient. In the 20+ years that Charlene has been working in the area, she's seen a boomtown bloom into a community. "We are seeing "lifers" settle in town with their families." Condominium living in Fort McMurray is a popular choice for many locals.









RETROFITTING THE RIGHT WAY

BY HANNAH TOUGH, PRIORITY SUBMETERING SOLUTIONS

What type of illumination does your building use? Did you get on the eco train right away, or is your building still working overtime to produce enough energy to light common areas 24/7?

The condominium market continues to be dominated by sales of halogen lamps and CFLs rather than by LEDs, which are more efficient. Go and check your lighting system - if you are not already familiar with all lighting components of your building - get familiarized. Don't forget to check outside too. LEDs (it stands for "light-emitting diodes") are great options for updating the security lighting of a condominium. LED efficacy has improved considerably in recent years. Swapping traditional, incandescent light bulbs with energy-efficient LED bulbs will use less power and reduce your condo costs while helping to reduce your carbon footprint. Don't forget about that longer lifespan, too. Although you'll have to buy a new incandescent bulb after as few as 2,000 hours, LED lighting will last anywhere from 15 to 25 times longer. It's true that you could buy nine of those \$6 incandescent bulbs for the price of an LED bulb, but the LED bulb will last well beyond the lifespan of those nine traditional bulbs. Air conditioning requirements may also be lowered because of LED's low heat working condition.

LED bulbs have many financial positives for your building. For one thing, they last much longer – from 30,000 to more than 50,000 hours longer – so you won't need to replace them as often. The savings will really add up when you begin to compare your electricity bills. LED bulbs use up to 75 percent less energy

than traditional bulbs. When you have decided to replace or upgrade critical building components, such as the lighting system, there is an ideal opportunity to upgrade connected systems. Suite metering will enable every resident in your building to monitor, track and pay for their own electricity usage. Moreover, making tenants aware of residential energy savings programs, like the 'Residential No-Charge Energy Savings Program' in Alberta, will enable the condo community to work together towards energy, and money saving goals.

Energy efficiency awareness and legislation are driving an increased number of lighting retrofits and field conversions to more energy efficient sources of lighting. To get the greatest value out of a LED lighting retrofit, ask about a manufacturer's product testing, quality control and sustainability practices. This is the time to ask about different light fixtures and light bulb options. Check for dimmer compatibility. It's important to be sure the LED, driver and dimmer are compatible – ask the manufacturer for a dimmer/controls compatibility list.

Schedule a lighting audit. This will include collecting an inventory of existing lighting systems and determining the most energy efficient solutions, which will enable you to asses your potential annual energy savings. Efficiency Alberta has programs and rebate offers to support energy savings initiatives and remodeling.

Your best bet for security and outdoor light is to install automated light fixtures with timers, or fixtures that come with sensors. This makes for efficient lighting. Plus, the white col-

our of light offers an aesthetically pleasing finish. The utility rooms and parking garages can have sensor lighting installed too. There are easy-to-install LED fixtures that take a simple exterior building design and make it tasteful. If you want to determine what your projected savings will be, LED Lights Canada has an Energy Savings Calculator on their website to calculate your monthly savings and your R.O.I. Remember, however, that not all bulbs are created equal so don't cut corners. Be sure to look for bulbs that have an EnergyStar® rating and are from a good name brand.

The immediate benefits of retrofitting your condominium with LED's will be seen and felt throughout the building. Retrofitting with motion sensor and dimmable LED's, you will notice the hallways and parking garages will be the first to reap the rewards, especially between the hours of 12am to 6am. The energy savings will take effect immediately as well. The goal of en-



ergy efficiency projects, should be to decrease, or at least maintain, the cost of living in a building. A suite metering retrofit partnered with an LED retrofit will reduce overall maintenance fees and can contribute to LEED (Leadership in Energy and Environmental Design®) points for your building. According to the Canada Green Building Council, green buildings create a healthier indoor environment for occupants through better indoor air quality, less harmful products, and more natural daylight. The key to realizing the benefits of energy retrofits is to sustain fees at their current level. At the least, boards should wait until the savings generated by a retrofit have paid for the cost of the retrofit before lowering fees. Again, a suite metering program will collect and report data for you. This saves money, cuts time spent on billing and utilities management, and ensures your condo building is reducing its energy, oftentimes up to 30%.

Increasing energy expenses mean that many building operators and condo boards face pressure to increase maintenance fees. Retrofits can help lower your costs and make your condo more attractive for owners and potential buyers. Resident demand for smart home monitoring and energy efficient living spaces will only continue to increase. Although energy saving is not classified as a need, it is a desired practice among many condominium dwellers. It is a good idea to send out a questionnaire to residents, asking where improvements can be made. This action gives them a voice in the decisions that affect the appearance and energy savings initiatives of their condominium community. Take the necessary steps towards a well-thought-out plan before beginning any retrofits and your decisions are sure to be a success.

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- + Never extinguish smoking materials in plant pots, potting soil, peat moss or other types of soil as they contain combustible materials.
- + Never discard smoking materials on the ground, in the garbage or in dry, grassy areas. In addition to being a fire hazard, it is also considered littering and is subject to a fine.

Protect children.

Keep smoking materials, including lighters and matches, out of reach of children.





Use e-cigarettes with caution.

- + Never leave charging e-cigarettes unattended.
- + Battery failures can lead to small explosions.

Prevent burns and injuries.

- + Never smoke and never allow anyone to smoke where medical oxygen is used.
- + Medical oxygen can cause materials to ignite more easily and make fires burn at a faster rate than normal.

If you smoke, smoke outside.

- + Provide smokers with large, deep, sturdy, non-combustible ashtrays.
- + Wet cigarette butts and ashes before throwing them out or burying them in the sand.
- Refrain from smoking on balconies if it is restricted by the property owner.



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WHEN YOUR CONDO IS DAMAGED

BY CORY GILLIAM, BA, CIP IS A PARTNER AND CLAIMS ADJUSTER FOR T&L ADJUSTERS LTD., A FULL SERVICE. INDEPENDENT, ADJUSTING FIRM SERVING ALL OF ALBERTA.

*A VERSION OF THIS ARTICLE PREVIOUSLY APPEARED IN THE SPRING 2018 ISSUE OF INSITE INTO CONDOS

The condominium insurance industry certainly has faced its challenges in recent years. Multi-unit residential and commercial structures, by their nature, are susceptible to many risks that can result in significant damages.

When an insurable loss happens it often leads to many challenges with communication, continuity of claims handling and cost control. You may not be aware that you can arrange for an independent adjuster to be your control adjuster for all claims that may arise at your properties with no additional cost as the insurers pay the expense. Control adjusters are provincially-licensed independent adjusters in Alberta.

Many condominium management companies and their insurance brokers are turning towards a control adjuster to effectively manage these challenges and work closely with all interested parties. A control adjuster can also assist in a consulting capacity to help with uninsured losses, recovery of deductibles or general insurance/claims questions.

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Experience and communication are key. When considering a control adjuster you want to ensure they have experience handling claims for condominium corporations and their insurers. Experience handling unit owner claims is also important. There are many overlapping concerns for condo corporations and unit owners alike. A good adjuster is constantly communicating with your condominium manager, condominium board, unit owners, tenants and their respective adjusters, and various contractors and experts who assist with assessing damages and repairs. Control adjusters are also in communication with the various insurers involved to ensure there are no coverage issues and all payments are made in a timely fashion. Having the same control adjuster each and every time there is a claim is extremely valuable. Too often insurers will assign an adjuster who has limited experience, no interest in client relationships and no reasonable expectations to meet certain deadlines and address problems promptly when they arise. They often have too many claims and they will not make your claim a priority. That is why many condominium boards and managers are moving towards control adjuster arrangements. This way you deal directly with the same adjuster every time.

Your control adjuster program should be structured to work closely with the condominium managers, or in the case of a self-managed building, with board members, and their respective insurance brokers and insurers. A competent adjuster will have a comprehensive system that manages the challenges faced when damages occur to a building.

A brief summary of the key areas a control adjuster can assist your condominium with are listed below:

FIRST RESPONSE

- Communicate with all parties and contractors on mitigating damages.
- Site attendance in a timely manner to mitigate damages and ultimately minimize the cost of replacement

INVESTIGATE

- Interview witnesses, unit owners, tenants and in most cases obtain detailed statements
- Determine the ultimate cause of the loss and confirm if there is any liability against any third party
- Gather important information like unit owner/tenant insurance policy information for future subrogation/recovery efforts

• Hire experts if the need arises such as engineers, mold and asbestos hygienists, etc.

EVALUATION AND NEGOTIATION

- Create emergency and repair scopes
- Obtain multiple contractor bids
- Meet with contractors on site to review scope and repair timelines
- Set expectations for unit owners and tenants on the repair process and timeline
- Resolve conflicts about the scope of repairs if there is disagreement
- Review and settle potential disputes with contractors regarding deficiency

SETTLEMENT

- Confirm with insurers on repair scope/cost and arrange for payment/ settlement
- Assist/negotiate settlements for owners with unit improvements/up-grades that may not be covered by the condominium corporation policy, to pay their upgrade repairs and communicate with their adjusters

LIABILITY

- Common Law and Statute Law and how they apply to condo property damage scenarios.
- Condo bylaws and Condominium Act of Alberta and communicating this to all parties.
- Burden of Proof established through thorough investigation.
- Limitation period (2 years in Alberta).

As you can see, there are various components of handling a claim. They can be complex and very time consuming. A control adjuster provides these services and having a control adjuster program will help ensure that you have the same adjuster for every loss. You get to know your adjuster, rely on him/her to provide the same quality

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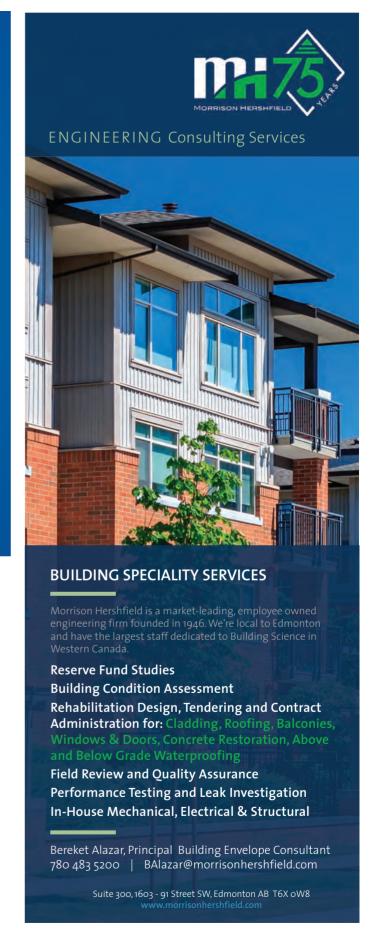
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of service every time. Consistency is paramount on communication with all interested parties in order to provide continuity in claims handling. The expectations and processes are in place in order to minimize your workload and added stress when damages occur. Each building and each condo manager and/or board has different challenges. We can create a plan of action that works for you. Having a good adjuster will reduce the cost of claims and hopefully result in keeping premiums lower in the long run.

Contact your insurance brokers and/ or local independent adjuster offices to see how they can assist you with your future claims.





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CONDOMINIUM CORPORATION PROPERTY INSURANCE: A PRIMER

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In Alberta, Condominiums are required by the *Condominium Property Act* and their bylaws to place and maintain coverage on all of the Units and Common Property.

The *Condominium Property Regulations* identify the perils for which the Corporation is responsible to insure against and those perils are as follows:

- (a) fire,
- (b) leakage from fire protective equipment,
- (c) lightning,
- (d) smoke.
- (e) windstorm,
- (f) hail,
- (g) explosion of natural, coal or manufactured gas,
- (h) water damage caused by flood,
- (i) water damage caused by sewer back-up or the sudden and accidental escape of water or steam from within a plumbing, heating, sprinkler or air conditioning system or a domestic appliance that is location within an insured building,
- (j) impact by aircraft, spacecraft, watercraft and land vehicles,
- (k) riot. vandalism or malicious acts.
- (l) any other peril as required in the by-laws.

The *Condominium Property Act* also states that the Corporation's insurance coverage is primary and is the first to respond to a loss.

The Corporation cannot subrogate against a unit owner unless damages are from arson, fraud or vehicle impact.

Recovery of the Amount of Deductible – The Corporation can claim back an insurance deductible from an owner if the damage originated in that owner's unit or exclusive use area, up to a maximum of \$50,000, but not more than the applicable deductible. This is absolute liability and there is no requirement for the Owner to have been negligent.

The Corporation's insurance does not cover:

- Condominium Fees paid by the Unit Owners
- 2. Mortgage Payments
- 3. Property Taxes
- 4. Additional Living Expenses (increased cost to Owner to live elsewhere during time that Unit is not able to be occupied)
- Loss of Rental Income on tenant occupied units
- 6. Cost to move contents of Owners/Tenants or place in storage

7. Damages to vehicles

All Unit Owners should have Condominium Unit Owners Policies that would provide coverage, for:

- 1. Full replacement cost of their Contents (Personal Property)
- 2. Full replacement cost of Improvements to the Unit
- 3. Additional Living Expense to live elsewhere until unit is repaired
- 4. Coverage for the Corporations' insurance deductible
- 5. All Tenants (not Owners) should have Tenant's Policies that would provide coverage for:
- 6. Full replacement of their Contents (Personal Property)
- 7. Additional Living Expense to live elsewhere until unit is repaired or to relocate permanently
- 8. Liability coverage for damages caused by their negligent acts to Units and/or Common Property







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TIPS & TOOLS FOR ONLINE ANNUAL GENERAL MEETINGS

BY TODD BRAND

In the midst of the loss we have all endured since March 2020, I continue to be impressed with the recurring theme of drawing out positives from the chaos that has surrounded us.

The advent of online meetings, including AGMs, is one of those many positives. Perhaps the greatest positive is the tremendous increase in meeting participation from organization members who otherwise were unlikely to engage in a meeting. While at the time of writing Alberta is moving out of the period of heavy pandemic restrictions, it seems clear that online meetings (or hybrid ones at least) are here to stay.

Online meetings bring new challenges. This brief article will not attempt to address all of these challenges but instead will point you to key advice in critical areas of online meeting management. As a professional parliamentarian my advice is focused on the design of an effective meeting that meets the standards of a fair, efficient, decision-making meeting. Your condo manager and legal adviser can assist with the many requirements of a condo corporation AGM. Parliamentarians help you process those requirements fairly and effectively!

Tip One - Your Platform Matters!

Most organizations I work with are using Zoom as their meeting platform and then selecting from the many online voting platforms that exist. With condo meetings, it is also essential to ensure the ability to process weighted proxy votes. Not all voting companies provide that ability. Also, if your bylaws require ballot voting, make sure your voting platform will allow for a method to vote secretly. A general rule is that Zoom polling, while providing some secrecy, is not the best ballot voting platform as it is not easy to save the results for further anonymous review.

Tip Two - Prepare & Rehearse

If there's one thing that's become clear in the emerging online meeting world, it's the need for preparation! Ensure that all elements of your online platform and voting platform have been practiced and thought through carefully. Even if you plan well, you will likely still have some unforeseen issues... without such planning your meeting can quickly derail. Use scripts to help your chair with tricky wording and practice online voting with your members to increase their confidence.

Tip Three - Shut off the Chat

In the past, when meetings were in person... was everyone allowed to talk at the same time? Interrupt to make an argument? Carry on a side conversation? Ongoing chat comments meant to support a speaker, make a debate point, or complain about the Board are not in order. Limit the chat box, if used at all, to technical questions or perhaps to indicate that you must interrupt for a valid reason such as a relevant question or point of order. Each person who is assigned the floor should have the full attention of those in attendance, in person or virtual!

Tip Four - Special Rules of Order

One key task I assist organizations with is the development of special rules of order. These are rules agreed upon by vote near the start of the meeting. These may be even more necessary in the online meeting world. Their purpose is to outline and provide agreement



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upon how the meeting will be run. It can include speaking time limits, a disclaimer that internet connectivity is the responsibility of the owner, or a rule about how votes will be conducted. These rules cannot conflict with your bylaws (usually) or legislation. They can be adopted for the meeting by a majority vote and changed later in the meeting if desired by a 2/3 vote. Special rules of order are meant to speed up the meeting and provide clarity. Therefore they should be few in number and simply worded.

Tip Five - AGM vs Town Hall

The importance of owner communication and rigorous methods of gathering input from your owners is critical for owner satisfaction, This cannot be understated. That said, the AGM is seldom the place for this to occur. An annual general meeting is a business meeting and requires a proper level of formality in order to conduct the substantial amount of business required by both legislation and common good practice. Keep your meeting agenda tight and on task. If your owners already have well designed opportunities for providing feedback, this will not be needed at the AGM. If still determined necessary to have a "Town Hall" or general "Q&A" feedback component, make these optional and only after the formal AGM is adjourned.

Tip Six - Resources

An excellent source for finding more information on electronic meetings are the websites for the two largest parliamentary organizations, the American Institute of Parliamentarians (www.aipparl.org) & the National Association of Parliamentarians (www.parliamentarians.org).



About the Author: Todd Brand is a Professional Registered Parliamentarian and works with organizations to assist with AGM's and provide training for Boards. This training provides practical tools, tips, & techniques for effective Boards & committees. Todd is a professional member of CCI North Alberta.

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ALBERTA CONDO EXPO 2021 RECAP



The Alberta Condo Expo took place online on April 23 and 24, 2021.

We're back, and online! This year's Alberta Condo Expo looked a little bit different. For the first time, we went entirely virtual, creating a conference experience that participants could enjoy from the comfort of their own home or office. We also partnered with CCI South Alberta to promote the event province-wide. It was a tonne of fun, and jam-packed with the advice and informative sessions that you've come to expect from the Expo.

If we're going to be entirely honest, virtual wasn't our first choice. There's something about the in-person experience of an event like the Expo that gets lost in translation when you go online. But we decided that it was better than not having an expo at all, and we did not want to have to cancel due to changing COVID restrictions. We had to make the very tough decision to cancel in 2020, and we knew we wanted to make a 2021 Expo happen.

With the decision made to go virtual, we set to work figuring out how to make the best of a web-based situation. The first decision we needed to make was "where" to host the conference. We decided to go with a virtual conference platform called Whova. While Whova sends a few too many automated emails, it more than makes up for that overzealous pre-conference approach by providing a convenient, one-stop place for our attendees to see the conference agenda, watch sessions, and interact with each other and with sponsors. Attendees can also access our Whova conference space after the event, where recordings of all the sessions will be available until July 24, 2021.

We also decided on a new format for the virtual conference. Rather than one, long day, we opted for 2 shorter days to try and help address the risk of "Zoom fatigue."

One thing that didn't change was the high quality of our speakers. We brought in lawyers, engineers, condo owners and managers, government and regulatory officials, anti-bullying experts, community building experts, insurance industry representatives to provide a top-notch set of sessions on condominiums. Though there was the odd technical glitch - one notable computer crash resulted in an impromptu stand-up comedy routine full of real estate jokes while staff worked to get our presenter back online - overall the event went fairly smoothly, and attendees were incredibly engaged.

We were live on April 23 and 24, 2021. We didn't break out inperson attendance records, but over 350 people took a chance on joining us for a virtual event. We would like to send a very big thank you to everyone who was involved in making the event such a success.

Attendees: Joining us online was a big shift from how we normally do the Expo, and for many, this was their first virtual conference. We are very grateful to everyone who took the plunge on a virtual event with us, and especially grateful to our "Expo regular, first time virtual" crowd.



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Cory Gilliam, BA, CIP 780.395.2222 cgilliam@tladjusters.com Morris Blatz, CIP 780.395.2205 mblatz@tladjusters.com Our conference goers tackled the challenge of attending a virtual conference like seasoned pros, and you were all patient as we navigated the sound and technical troubleshooting that goes into presenting online. You also took full advantage of the opportunities to interact! The community board, ACExpress live videos and chats, and direct messages between attendees numbered in the thousands. Thank you for taking a chance on a virtual event, and for jumping into the experience with such enthusiasm.

Speakers: The past few years have been packed with changes for condominiums. There's a long list of regulatory and legislative changes that have come into effect over the last couple of years, not to mention the impacts of COVID-19. Our all-star group of speakers and presenters delivered the incredible high quality information and education that Alberta Condo Expo attendees have come to expect. Across the conference, speakers answered over 200 questions from attendees, and brought a bevy of tips, advice, and insights through their presentations. Thank you for sharing your time and talents with us.



Sponsors: Going online dramatically changes the game for event sponsors, and we are very grateful to our sponsors for coming along for the ride that was Alberta Condo Expo 2021. While there's sadly no catering bill at an online event, there is still a significant investment that goes into the logistics of a virtual conference. We need sponsors to make sure we can bring a top quality experience to our attendees at a reasonable registration rate. Our sponsors also contribute their time and expertise to offer resources, answer questions, and share valuable industry insights, not to mention the great promotional giveaways. Thank you for your support.

Volunteers and Staff: Many hands make light work as the old saying goes, or, in the case of a conference, many hands make an impossible event possible. This event truly could not have happened without the hard work and countless hours of our volunteers and the event staff who helped plan and then helped out behind the scenes at the event. Thank you all!

Special thanks

 Anand Sharma & Ryan Coles, the Presidents of the North Alberta and South Alberta Chapters of CCI, Anand and Ryan were our charismatic co-hosts for the conference. Thank you both for all you do for our chapters and for taking time out to lead this year's Expo!

- Service Alberta Minister Glubish for joining us for the opening program and being game to take a few guestions!
- MLA Jon Carson for joining us for the opening program
- Ryan Jespersen, our emcee for this year's expo. Ryan did a great job keeping us on track and engaged. Thank you for joining us!
- Our partners at Hello Media and Mtek, who provided marketing support. In particular a special thank you to Morgan who also pitched in with event logistics during the expo and provided a wonderful report full of insights on how we can improve next year. Thank you!
- Pamela Aranas, Alice Funk, Morgan Hrynyk and Lesley Thompson for all their work behind the scenes to support the conference!

See you (in person!) next year!





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A look at the numbers



269

attendees

21

sessions

1365

hours watched

1774

300

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active users

3815

70%

Whova

agenda views

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Most Popular Sessions

- Legal Panel
- Opening Remarks
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1600

leads generated

157

meet ups generated



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community messages 1649

1965

private messages

40

discussion topics created

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Who was there?
The Poll Results

154

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(PLEASE DON'T) LIEN ON ME

Changes are coming that require contractors to be paid within 28 days (conditions apply).

The hills are alive with the sound of changes to payment requirements and lien rights in the construction industry. The connection between the condominium industry and the construction industry is strong and ever-present, though sometimes forgotten. Condo corporations have an ongoing duty for the repair and maintenance of the common property. Beyond these routine needs are the larger capital replacement projects that take place, which are all performed by companies from the construction industry. How do these changes affect condominiums, you may ask? Read on to find out!

If a contractor or subcontractor performs labour or supplies materials for these projects but does not get paid, they can register a builder's lien. When registered, a builder's lien shows on the certificate of title to the property worked on and creates an interest in the property for the lien holder until they are paid.

Amendments to the Builders' Lien Act

Bill 37 (the Builders' Lien (Prompt Payment) Amendment Act, 2020), was introduced to amend the Builders' Lien Act. Proclamation is expected to take place in Fall 2021, at which time the piece of legislation will be changed to the Prompt Payment and Construction Lien Act. The changes contained in Bill 37 are quite extensive and create a much more structured process related to payment for construction labour or materials.

Wait! Don't turn the page yet. Before your eyes completely glaze over, it is important to note that the new payment process is without a doubt going to have a significant impact on the current practices within the condominium industry. These changes apply to any party receiving labour or materials, including condominium corporations, and legally <u>must</u> be followed. Below is a snapshot of some of the major changes to the legislation.

- Property owners (i.e. condominium corporations) must pay the contractor within 28 days of receiving a "proper invoice":
- Contractors and subcontractors have to pay their subcontractors within 7 days of receiving payment from the property owner;
- If a property owner does not agree with an invoice, they must issue a "Notice of Dispute" within 14 days of receiving the disputed invoice;
- Contractors and subcontractors will have 60 days to register a lien (currently they have 45 days), except for contractors doing concrete work, who will have 90 days to register a lien:
- The minimum requirement to register a lien (the amount owed to the contractor or subcontractor), is increased from \$300 to \$700;
- New rules for the payment of holdbacks on large, multiyear projects will be introduced; and

A new adjudication process will be implemented to resolve disputes without use of the Courts.

What Is A "Proper Invoice"?

One of the most significant changes to the legislation is the definition of what is considered a proper and payable invoice. For an amount invoiced to be considered due and owing, the invoice must contain the following:

- i. The contractor's name and business address;
- ii. The date of the proper invoice and the period during which work was done or materials were provided;
- iii. Information identifying the authority (such as the contract) under which the work was performed, or materials provided;
- iv. A description of the work performed, or materials provided;
- v. The amount requested for payment and the payment terms; vi. The name, title and contact information of the person to
- vii. A statement indicating that the invoice is intended to be a "proper invoice"; and
- viii. Any other information prescribed by the regulations.

Note On Lien Holdbacks

whom payment is to be sent;

Before wrapping things up, let's take a moment to review builder's lien holdbacks. Lien holdbacks are required under the current Builders' Lien Act and will remain a legal requirement under the new legislation. A portion of the value of work performed or materials received (often a percentage of the amount invoiced), is held back by the property owner until the time that contractors and subcontractors are given to register a lien has expired. This obligation is frequently overlooked and unfulfilled in the condo industry, to the detriment of the condominium corporation and owners. Holdbacks are required to be done on any construction project in Alberta, no matter how big or small. Failure to comply with holdback requirements expose the condominium corporation to legal liability on a variety of issues.

Impact On Condo Practices

The change that will arguably have the greatest impact on current practices in the condo industry is the time frame for payment. Currently, it is not uncommon for payment of invoices by condo corporations to be on a delayed payment cycle of up to 3 months or more. This can be due to the frequency within which the Board of Directors meet, when invoices are received,

how long it takes for cheques to be signed, processed, and sent out, among other things. Given the 28-day deadline for payment that is specified in the new legislation, the industry is going to need to tighten and streamline its practices surrounding payment of invoices. A suggestion to assist in expediting payments is to set up the condominium corporation to pay invoices electronically, if possible.

Another area that may require reworking of processes and procedures is how invoices are received and reviewed. Corporations will need to be diligent in reviewing invoices for payment to confirm that all the requirements mandated by the legislation are met. If they are not met, or there is a dispute over the work or the invoice, a process should be implemented to ensure that the deadline for serving the "Notice of Dispute" is done within the 14-day period. Note that serving a "Notice of Dispute" does not mean the property owner is not obligated to pay for actual labour or materials received.

Take-Away

Dealing with construction projects can be tricky. The possibility of builders' liens adds more pressure and yet another complicated layer. The condo industry will need to adjust its practices to fit within this framework and comply with all legal requirements. Adapting existing processes and procedures or establishing new ones will be the key to successfully navigating the complicated world where the two industries intersect. Also, never hesitate to consult the corporation's legal counsel for guidance and assistance.

Are you interested in attending an education session to learn more about how your corporation can prepare for these changes? Email us at info@ccinorthablerta.com and let us know!



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1/2 Page	7.0"w x 4.75"h	gst	\$786.50 \$39.33	gst	\$1,573.00 \$78.65
		Total	\$825.83	Total	\$1,651.65
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SUMMER 2021

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Capitall Exterior Solutions	Craig Hatt	(780) 757-3930	craighatt@capitall.ca
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Macsson Snow Removal	Mathias Jonsson	(780) 996-4484	info@macsson.ca
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