



## Message from the President

BY BILL THOMPSON, BA, RCM, ACCI, FCCI  
CCI NATIONAL PRESIDENT

The problem with being President is that you never really get to live in the present! You are always getting ready for things that are going to happen. Some of those things are going to happen soon, like the due date for this message, while others are going to happen pretty soon, like the fall Leaders Forum and AGM in Collingwood Ontario. Still others are happening in the near future like next Spring's meetings in New Brunswick, and others still are in the not so near future, like the formation of Chapters from our fledgling startups around the country. So, when I am asked to give a message to the members to help keep our minds and efforts aligned to a National Association, it is with a mind full of activities and future plans that I meet you.

As a member of your elected Executive, I am continually wondering how we can position our association to be able to meet the needs of our ever changing world and especially our light speed changing environment in condominiums. We are, without a doubt in the fastest moving technologically advancing world that has ever been. The availability of information is now measured in bandwidth and download speeds. Our value is measured in "hits" and "clicks" when people honour us with 30 seconds of their time on our virtual presence called a website. We now want to know how many "likes" and "retweets" have added to our impact today. My mind spins just trying to comprehend where all of this will lead us!

Therefore, I am very thankful for the contributing minds of the Canadian Condominium Institute. Those minds, collectively, have a much better grasp on our reality of today. Those minds understand that we still need to be anchored in relationships and old world "likes". You know them because you get them when someone comes up with a warm, eager handshake and says something to you face to face about how much they really appreciate what you are doing.

Those old school "likes" are exactly the foundation that the new CondoSTRENGTH program is built upon. This exciting new program will bring Directors of Condominiums face to face to talk, old style, about their experiences as a Condominium Board member. They will share successes, failures, attempts and ideas, while actually helping the condominium owners to get better directors, and therefore better results. We can never overesti-

mate the power of sharing, and the power of trusting. Marc Bhalla has volunteered to lead a group of volunteers to take this program across the country, with an anticipated launch date this fall. Stay tuned because this is very exciting stuff!

Another thought that interrupts my slumber on many nights is about who will be our next leaders. How do we attract the brightest, and the best to give their time for free to this organization?

This fall, we will be electing a new Vice President, and a new Treasurer/Secretary, and maybe even a new Director at Large. The Nominating committee is currently accepting nominations for those roles, and they will have a very difficult job of sorting through all of the applicants to try and figure out the future of CCI. Please, please, please, submit your name if you have any interest in being con-

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## GET INVOLVED!!

CCI chapters are always looking for dedicated and enthusiastic volunteers! Put your passion and expertise to use!

For more information, please contact your local chapter.

Contact information can be found at

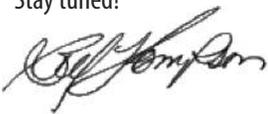
<http://www.cci.ca/CONTACTUS/chapterlocations.asp>

## Message from the President Cont'd.

sidered for any of these roles. It would be impossible for the nominating committee to know that you are interested in helping out if you don't tell them. The future of CCI will be in the hands of those elected at our Annual General Meeting, so please do your best to attend. Details of the meetings and fall schedule will be sent out to all members shortly.

Lastly, I would be remiss if I did not send a very warm "thank You" to all the members in Vancouver who put together a wonderful Leaders Forum last month. Vancouver has so much to offer, and so much to show us about the world of Condominium. The highlight for me was the session that talked about the new world of on-line dispute resolution for Condominiums. It is a well thought out program and will serve to help find solutions to many Condominium (Strata) problems going forward. The rest of Canada will watch intently to see how well it works and look for ways to find similar solutions for their condo owners and Boards. Clearly technology has become mainstream in the condominium realm, and will be the focus of many discussions, ventures and opportunities.

Stay tuned!



## Condo Cases Across Canada

BY JAMES DAVIDSON, LL.B., ACCI, FCCI  
NELLIGAN O'BRIEN PAYNE, OTTAWA



*It is my pleasure to provide these brief summaries of recent condominium Court decisions across Canada. I don't provide summaries of every decision rendered. I select a handful of decisions that I hope readers will find interesting. I hope readers enjoy this regular column of the CCI Review.*

*Note to readers: In B.C., condominium corporations are "strata corporations" and in Quebec, condominium corporations are "syndicates".*

*Note: This publication contains only a handful of this quarter's summaries. CCI members who would like to see the rest of this quarter's summaries can find them at the Condo Cases Across Canada website: [www.condocases.ca](http://www.condocases.ca) The current password is "condocases".*

*James Davidson LLB, ACCI, FCCI, Nelligan O'Brien Payne, Ottawa*

### THE HOT TOPIC – A recent Court decision says that Alberta's Human Rights Act can apply to Alberta condominium corporations. Here's my summary of the decision:

#### Condominium Corporation No 052 0580 v. Alberta (Human Rights Commission) (Alberta Court of Queen's Bench) March 24, 2016

#### **Alberta Human Rights Commission has jurisdiction to deal with certain types of complaints by condominium owners against the condominium corporation**

An owner in the condominium made a complaint to the Alberta Human Rights Commission. The Complainant has a physical disability and is confined to a wheelchair. He alleged that the condominium corporation had discriminated against him in relation to the allocation of his parking space. The Commission indicated its intention to investigate the complaint.

The condominium corporation asserted that the Commission had no jurisdiction to deal with such complaints, on the grounds that remedies are available to condominium owners exclusively under the Condominium Property Act.

The Court held that the Commission had jurisdiction to accept and investigate the complaint under section 4 of the Alberta Human Rights Act. The Court said:

*The Commission is entitled to proceed with its investigation. If the Commission determines that parking stall allocations are a service within Section 4, and that Mr. Goldsack is a member of the Corporation's "public," they will have to go on to consider there has been unlawful discrimination and to consider the appropriate remedy.*

*Those decisions are all within the jurisdiction and expertise of the Commission, and it should be allowed to proceed.*

*I make no finding on these issues other than to hold that the Commission has jurisdiction to investigate under the Act.*

*continued...*

## BC Case – Terry v. The Owners, Strata Plan NW 309 (B.C. Supreme Court) February 16, 2016

### Court orders discharge of strata corporation lien because face amount of lien too high

This case involved a dispute between the strata corporation and one of the owners in relation to a lien registered by the corporation against the owner's unit. The Court determined that the face amount of the lien included amounts that were not owed by the owner. The Court held that this served to invalidate the lien. The Court said:

*... the certificate of lien filed against the Strata Lot did include other improper amounts, specifically the pre-2004 amounts and improper interest charges... The question then becomes whether that renders the 2008 Lien invalid, or only unenforceable with respect to the improper amounts.*

The Court noted that, under section 116 of the Strata Property Act, a strata council member or the strata manager is required to certify that the amount claimed in the certificate of lien is in fact owing to the strata corporation. The Court said: "This is inconsistent with the notion that a certificate of lien can be registered for any amount just so long as the owner owes something for strata fees".

The Court ordered that the lien be discharged at no cost to the owner. The Court also said that the owner was entitled to a declaration that the strata corporation could not charge the owner for any portion of its legal costs incurred in defending the owner's petition.

With the discharge of the lien, the Court was also asked to consider whether

or not the strata corporation was "out of time" to start a Court action for collection of any amounts still owed by the owner to the corporation (but no longer secured by the lien). The Court said that such a claim was subject to a six-year limitation period and the question of whether or not it might be out of time could be determined if and when such a Court action is commenced.

## Ontario Case – 673830 Ontario Limited v. MTCC No. 673 (Ontario Divisional Court) March 18, 2014 and April 15, 2014

### Appeal allowed. Corporation issued inaccurate status certificate

The lower court held that a status certificate issued to the plaintiff was accurate. Although the status certificate had failed to mention an anticipated special assessment, the lower Court said that the special assessment was effectively offset by proceeds from an expropriation. Therefore, according to the lower Court, "the net effect of all this is that the (special assessment) was not seeking any increase from owners". [See Condo Cases Across Canada, Part 44, November 2013.]

The purchaser (who received the status certificate) appealed, and was successful on appeal. The Divisional Court said that the status certificate was not accurate, in that it failed to provide the necessary information about the special assessment and the expropriation.

In the end, the purchaser still had not suffered any loss (because the funds from the expropriation served to off-set the special assessment). The purchaser was nevertheless awarded \$15,000 costs for the appeal. The Divisional Court ordered that both parties bear their own costs of the original Application. 🍁

# Do You Have...



## Condo**STRENGTH**

**CCI wants to help you get it for you and your condo.  
More information to come this fall...**

# CCI-N 2016 Spring Leader's Forum

hosted by Canadian Condominium Institute **CCI** Institut canadien des condominiums  
Vancouver Chapter



## CCI Takes Over Vancouver!

The Vancouver Chapter welcomed a huge CCI contingent to their beautiful city from May 25-28, 2016. With almost 80 chapter leaders attending this Leaders Forum, CCI is proud to see the continued growth of these biennial meetings. From meetings to sessions to fabulous networking opportunities, the sharing of ideas between our chapters is key to the success of this program. We are excited to continue holding the Forums to help chapters learn from each other and we always are excited to see how programs from one chapter get implemented in another a few months later.

Thank you to the Vancouver chapter for putting on a fabulous set of events, including a night at the Vancouver Rowing Club; a Boat Cruise (even though the weather didn't cooperate), and a trip up the Squamish Gondola.

Highlighted at this Forum was the idea of CondoSTRENGTH, a CCI-Toronto program that will be rolled out across all 16 chapters this Fall. Look for more information to come soon!!



Marc Bhalla and Ernie Nyitrai showing their CondoSTRENGTH



The Vancouver Rowing Club



The group eager to learn and share.



Heading up the Squamish Gondola.



Enjoying the Boat Cruise.



Can you believe this is edible?



Brian Horlick showing off his boat safety skills.

## CHAPTER CHATTER



### Newfoundland & Labrador Chapter

— Greetings from Newfoundland and Labrador to our neighbouring Chapters across the country.

We have been quite busy this past winter and spring preparing and hosting two seminars and our Spring newsletter. We are now completing two newsletters per year, and in our continuing effort to be green, our next edition will be paperless.

In June, we saw the successful culmination of our long term efforts in developing our CM 100 course. On June 18th we hosted our very first day long CM 100 course. We congratulate and thank our Director, Dave Cumming, for doing the lion's share of the work in the course creation and successful presentation.

This year we lost a very valued Director and Treasurer to retirement. We take this opportunity to wish Karen Hood all the best in the future. On behalf of our Board, we express our sincere gratitude for her many years of dedicated service to our Chapter.

Karen's departure accelerated our intention to hire a part time paid administrator. In June, we hired Diane Hobbs and our Chapter is very pleased and fortunate to have the benefit of her many years of expertise in admin and accounting.

Our long term membership numbers are holding fast, and we are continuing to see modest increases each year. While we strive to attract new Condominium Corporations to our membership and they will continue to be the majority of our members, we are also very pleased to see a good diversity in the types of new sponsor members joining.

Thank you to the Vancouver Chapter for hosting the

spring meetings. Vancouver is an incredibly beautiful City that really does have that WOW factor. Congratulations to all involved. You did an outstanding job in both educating and entertaining us.

*Carol Burke, President  
CCI Newfoundland & Labrador Chapter*



### Northwestern Ontario Chapter

— Summer has finally come to full bloom in Thunder Bay. The temperatures have been around 24 - 26 Celsius. The sun sets here around 9:40 pm, giving us plenty of sunshine with rain in between. Gardens are growing, lawns are green, and of course I get plenty of exercise mowing the lawn.

In April of this year we added a new condo with 51 units to our membership roster. Our total membership is at 53 total members including 36 condos with a total of 1555 units.

In Thunder Bay we hold two seminars per year, one in the Spring, and one in the Fall. Our November 2015 seminar covered "Bill 106 Proposed Changes to the Condo Act" and April 23, 2016 covered "Board Responsibilities". The attendance is up to around 60 members, forcing us to book a larger room. Armand Conant, was our guest speaker for both events, his passion always draws a good crowd.

We are continually working on our communications with members: at seminars we have email consent forms available; those on the list get 1st notice of upcoming seminars. This year's Fall seminar will be on Condo Insurance. To tailor the seminar for our audience, we have asked our email list "What would you like to know about condo insurance?".

The newsletter committee has been working on more local content by asking a couple of business

and/or professional members to submit an article relevant to their field of expertise.

*Lori Smetaniuk, Office Administrator  
CCI Northwestern Ontario Chapter*



### Manitoba Chapter

— CCI Manitoba continues to get busier and more involved every year, building membership, offering great programs for members and keeping abreast of issues facing the industry and most of all, our condominium owners.

A huge thank you is extended to our amazing Board of Directors for their commitment to and passion for the organization. The Board of Directors of CCI Manitoba meets every month from September through June. I would be remiss if I didn't also thank the Executive Committee who are not only so supportive of the organization, but also of me in my role as President. Thank you to Pamela Pyke, Past President, Delaney Vun, Vice-President, Lori Ricard, Treasurer, and Carla Steidl, Secretary. Another big bouquet to Millanne Baxter, our Chapter Administrator. Without her skills and passion for CCI Manitoba, none of our work would be possible.

Our many accomplishments this past year include:

- Our education program led by Doreen Kerr and her fabulous team, the Education Committee. The sessions are often sold out and are highly evaluated by those in attendance. Our plan is to hold even more educational events in the coming year 2016-2017, so stay tuned and please avail yourself of these programs. They are open to all CCI members, even if you are not on your Corporation's Board of Directors. The knowledge you gain will be extremely useful, both as a unit

*continued...*

## Chapter Chatter Cont'd.

owner and especially if you are on your Board of Director's or even considering running for the Board of Director's at your condominium.

- Our newsletter continues to get bigger and better and our member's feedback indicates that the newsletter is perhaps the greatest benefit of membership in CCI Manitoba. I am awed by the commitment of Pamela Pyke and the Newsletter committee in producing this first rate publication. They would love to hear from you about articles you would like to see in the future and also comments on the publication itself.
- The Property Tax Fairness Campaign hit new heights this year, by offering information sessions on the issue of property tax fairness to members and non-members in Brandon on March 29, 2016 and the following night, March 30, 2016, in Winnipeg. The sessions were very well attended and also resulted in attracting new members to CCI Manitoba. Condominium unit owners are passionate about this issue and the Board of Director's has endorsed the committee's work for the coming year. Thanks to Brenda Brydges and the Property Tax Fairness Committee, as well as Paul Hesse of Pitblado.
- A President's Forum was held on September 24, 2015 at WCC 495 (Stonecrest Condominium Corporation). Many Condominium Corporation Presidents were in attendance and the feedback was great. It is perhaps the only opportunity for Presidents to engage in discussions about the issues facing them as President's of their Corporation's Board of Director's and more importantly, issues at their condominium's. As issues and problems are shared, so too are solutions and everyone leaves having learned something to assist them in their role.
- Our Annual General Meeting (AGM) was held on October 8, 2015 and was well attended. Another fun night after the business was conducted. Wine and Cheese and a Casino evening brought to us by Casino Fantasys at the Norwood Hotel. I encourage all members of CCI Manitoba to attend our AGM this year on September 21, 2016 at 7pm at the Norwood Hotel. Again, another informative and fun evening.

- CCI National hold regular events which allow those CCI Manitoba Board members who attend, an opportunity to learn what's happening nationally, but also and just as importantly, validates that the work we do is right on the mark. The Fall Leaders Forum was held from October 21-23, 2015 in Toronto, Ontario and the Spring Leader's Forum was held in Vancouver, British Columbia from May 25-28, 2016. We are getting a reputation for not only doing great work in Manitoba, but also for having a lot of fun doing it. You may have noticed a theme in this report about wine and cheese being offered at many of our events. Our National counterparts have noticed and hence our reputation. Our own Doug Forbes is currently the Vice-President of CCI National and Jane Lecours serves the Manitoba Chapter as the National Representative. The next National event will be held in Collingwood, Ontario from October 26-28, 2016. The President or designate, and the Chapter Administrator also attend, on behalf of the Manitoba Chapter.
- CCI Manitoba Chapter held a Strategic Planning Session on April 2, 2016 and developed and endorsed our Mission Statement as well as a strategic plan that encompasses growth and membership, education, outreach, and achievements we wish to accomplish over the next three years. We will meet again with the facilitator on September 10, 2016 to ensure that we are still moving forward and that we are on the right track.
- Rob Giesbrecht, the chair of our Government Relations Committee continues to work hard on issues around the new Condominium Act. A list of issues that are problematic is being developed and the hope is that perhaps in the new year, lobbying may take place in the hopes of resolving some of those issues. A meeting was facilitated by Rob on June 21, 2016 with the Land Titles Office. Several of Winnipeg's expert condominium lawyers attended to discuss some of the problems around condominium bylaw changes since the new Act came into effect on February 1, 2015. There was a commitment made at that time to continue to dialogue on those issues. Myself, Millanne Baxter, Delaney Vun and Doug Forbes were also in attendance at that meeting.

Thanks to our newest Board of Director's members, Susan Champagne Shapiro and Leo Camirand elected at the 2014-2015 AGM. They have become very active in the organization in a very short time. Thanks also to Adrian Schulz, who regrettably stepped down from his position as a Director due to a growing business and a growing family. Best of luck to Adrian who remains a member of CCI Manitoba. Rounding out the Board of Directors are Lionel Guerard, a long standing Director and participant on the Education and Property Tax Committees, and one of our newer members, John Francis who has brought a wealth of experience both as a participant on the Education Committee and as a Lunch and Learn speaker on the topic of Insurance. All of our Board members are experts in their field and bring so many skills and talents to the organization. I would like to encourage any member interested to let your name stand for election to the CCI Manitoba Chapter Board of Directors at the AGM on September 29, 2016. It is such a positive experience. Whether you are employed in the Condominium industry or a condominium owner, our Board will welcome your input. New people equal fresh new ideas.

Finally, I have gained so much by being involved on the CCI Board of Directors and now in the role of President. I currently participate on two other Boards of Directors, including my own Condominium Corporation.

The CCI Board of Directors is an amazing team to work with. Thanks for the opportunity to make a contribution to CCI Manitoba Chapter.

*Maureen Hancharyk, President  
CCI Manitoba Chapter*

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# UPCOMING EVENTS

## Eastern Ontario Chapter:

September 28 – A night With the Experts - Ottawa

## Golden Horseshoe Chapter:

September 10 – Level 300: Financial Management – Guelph

September 28 – Annual General Meeting - Dundas

## Huronia Chapter:

September 16 – Annual Conference – Barrie

September 24 – North Bay Forum – North Bay

## London & Area Chapter:

September 9 – Golf Tournament - London

## Manitoba Chapter:

September 5 – Lunch n Learn: Condo Speed Dating; Lunch with the Pros – Winnipeg

September 29 – 2016 President's Forum – Winnipeg

## New Brunswick Chapter:

September 20 – President's Forum - Moncton

September 27 – Seminar: Insurance – Fredericton

## North Alberta Chapter:

August 22 – Golf Tournament – Edmonton

September 14 – Condo 101 Course – Edmonton

September 29 – Lunch n Learn: Parking Bylaws Enforcement - Edmonton

## North Saskatchewan Chapter:

September 14 – Mayoral Candidate Town Hall Meeting - Saskatoon

## Toronto & Area Chapter:

September 17 – Level 101 Course – Toronto

Chapters are adding new events all the time, check back with your local chapter to get an updated list of events in your area!



October 26-29, 2016  
Westin Trillium House  
Collingwood, ON

# Oktoberfest

## CCI-N 2016 FALL LEADERS' FORUM



Partnering Chapter

Canadian  
Condominium  
Institute  
**CCI**  
Institut  
canadien des  
condominiums  
Huronia Chapter

# MARK YOUR CALENDARS!!

The 2016 Fall Leaders Forum is just around the corner and we want you to get yourself ready!

Join us in beautiful Collingwood, Ontario where Huronia Chapter will roll out the red carpet to welcome all the National Delegates to the Westin Trillium House in Blue Mountain Village.



Details to come soon via email, but for now,

**Mark down October 26-29, 2016...**

***You won't want to miss it!***

# CANADIAN CONDOMINIUM STATISTICS

June 2016

The Canadian Condominium Institute leads the condominium industry by providing education, information, awareness and access to expertise by and for our members.

***Coast to Coast... we are your condo connection!***

Province	No. Corporations	No. Units
Alberta	8,000	440,000
British Columbia	30,000 <sup>1</sup>	1,000,000
Manitoba	1253	6,650
New Brunswick	259	4,519
Newfoundland & Labrador	148	4,042
Northwest Territories	58	1,468
Nova Scotia	381	13,359
Nunavut	18	241
Ontario	9,000	600,000
Prince Edward Island	54	802
Quebec	62,000 <sup>2</sup>	450,000
Saskatchewan	1558	77,900
Yukon	237	4,740
<b>TOTALS</b>	<b>112,966</b>	<b>2,603,721</b>

<sup>1</sup> Stratas <sup>2</sup> Syndicates

*Statistics were compiled to the best of our ability from resources within each Province/Territory and number of units were estimated when unknown/unavailable.*

*We thank the many Gov't Land Titles and Land Registry Clerks and CCI Condominium Lawyers who helped in the compilation of these statistics.*

**CANADIAN CONDOMINIUM INSTITUTE - NATIONAL OFFICE**

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