

ccireview

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The Growth of the Canadian Condo Market

25TH ANNIVERSARY

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Message from the President

CHARLIE OLIVER

BY CHARLIE OLIVER, CCI NATIONAL PRESIDENT



It's been an interesting and active three months. As we have been experiencing a relatively mild winter, till recently, much has been happening at CCI. We are pleased to announce and to show you our banner with the new CCI logo. In preparing ourselves to enter our 25th year, a re-branding has been completed. This

logo, which we shall be formally adopting on July 1... Canada Day... is being introduced here and on our website over the coming months. Our web re-design is nearing completion. It will then move through the process of reconstruction, leading, we hope, to a more user-friendly version. We trust our new identity will be reflective of our Canadian perspective in the condominium industry.

We have, as well, spent time meeting and discussing the Condominium industry with Government, industry and CMHC.

In February, we visited with the Hon. Loyola Hearn, representatives of CMHC and have spoken with Genworth Financial Inc. (see related articles inside). The intent of these meetings/conversations was to move condominiums to a new level of awareness. It was also a part of our strategy to pursue information and data make-up of condominium units in major centers and for Canada as a whole. The Genworth conversation and CMHC meeting were very beneficial in providing us

with current data on the condominium industry. Many will be surprised and excited at the volume, inventory and projections for activity in the leasing and construction of condominium units.

Needless to say, we are truly in a growth industry. The significance of condominium-living as a lifestyle is well imbedded in the fabric of Canadian housing. As CCI, our role is to continue to work with our Chapters and our members delivering the support, education and common voice to enhance the stability of this industry in its many facets.

I invite you to read the articles contained herein. I again remind you to visit our forum on the website. It has grown since inception. As we transform our site, we shall make further modifications to the forum, possibly rename it, making it more subject-friendly.

On behalf of our Executive and our Board of Directors, we thank you for your continued support. We are active on many more fronts than I can mention here. Suffice it to say, our committees are focused and hard at work. As a transition year, we hope to move ourselves and our projects more to the forefront.

Regina is the location of our semi-annual meetings. I look forward to meeting many of you there where we can discuss face-to-face any ideas and suggestions you may have.

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The Growth of the Canadian Condo Market



The Condominium industry has been growing at a rapid pace over the past few years and has no signs of slowing down. Recently, there have been two reports completed and presented to the marketplace.

The first report, being the *Metropolitan Condo Outlook Winter 2007*, has been compiled and released by Genworth Financial Canada in conjunction with The Conference Board of Canada. This report analysed 6 of the largest Census Metropolitan Areas (CMA's) in Canada. Its findings validate the historic and projected growth of condominium apartments providing commentary on the starts, absorption and future trends in the industry. Table 1 provides a summary of some of the more interesting data provided. Needless to say, at a glance, one can appreciate the growth and impact the condominium market is having in these centers. This report can be accessed through the Genworth web site at: http://www.genworth.ca/mi/eng/misc_pages/housing_reports.html

In conversations with Genworth President and CEO, Peter Vukanovich, he confirms their belief in the strength of the condominium sector in the markets studied and a growing strength throughout the rest of Canada. Surprisingly,



Left to Right: Larry Holmes, John Peart, Loyola Hearn and Charlie Oliver.

Location	Starts			Condo as a % of starts	
	2004	2005	2006	1992	2011
Ottawa CMA*	2,259	1,219	1,646	7	19
Edmonton CMA	3,317	4,256	4,539	14	37
Montreal CMA	10,053	8,758	7,219	21	44
Toronto GTA	14,022	16,178	15,432	5	38
Calgary CMA	4,558	4,112	5,226	8	38
Vancouver CMA	12,647	13,084	12,419	48	73
Total	46,856	47,607	46,481		

* only the Ontario portion of Ottawa-Gatineau CMA

Source: Genworth Financial Canada *Metropolitan Condo Outlook Winter 2007* in conjunction with The Conference Board of Canada citing as additional sources CMHC and Statistics Canada

Location	# units
Ottawa CMA*	19,483
Edmonton CMA	22,319
Montreal CMA	82,275
Toronto GTA	212,753
Calgary CMA	26,689
Vancouver CMA	130,177
Total	493,696

* only the Ontario portion of Ottawa-Gatineau CMA
Source: CMHC Rental Market Reports, December, 2006

indications are that the inventory of units is continuing to be absorbed as reflected by the data compiled.

Secondly, CMHC has released its *Rental Market Reports, December 2006*. In this version, CMHC has added a section on the Condominium Marketplace. The focus in these reports is the rental apartment-styled condominium units. It provides statistics on the inventory and then distribution of these numbers between the total universe of apartment-styled units and those in the rental market. It does not, we caution, include data on the town-

house or row styled condominium projects.

Bob Dugan, Chief Economist, and Harry Mulder, Manager Business Information Technology, with CMHC met with representatives of CCI early in February. They explained that CMHC is keenly interested in monitoring the condominium apartment market as it is a growing segment of the rental universe. The tables forming part of the Market Reports provide detail on the character of this market.

Table 2 provides a summary of the inventory in the centers studied. These reports can be accessed through the CMHC web site: Google 'CMHC Order Desk'; on left hand column select 'Housing Market Information'; and then 'Rental Market Reports – Major Centres.'

The condominium market, as can be seen from these numbers, continues as a significant component of the new home market and in the lifestyle choice of Canadians.

CCI will continue to communicate with Genworth, CMHC and Statistics Canada keeping the importance of related data on our combined agendas.

CONDOMINIO 78



Twenty-five years ago I was called to the Bar in Nova Scotia on January 19th, 1982. Little did I know I was about to discover something called a condominium and it would slowly but seductively take over my legal practice, my volunteer life and to a large degree my personal life. Also in 1982 I was a founding member of the Nova Scotia Condominium Association that would evolve into first the Atlantic Chapter and then the Nova Scotia Chapter of CCI. Happy 25th Anniversary to CCI National and CCI Nova Scotia, may they never end!

In twenty-five years I have seen condominium evolve from a curiosity to the predominant housing product and development product in Canada. Often I am asked when will the condominium bubble burst. My response is – we are just getting started. As our urban density increases, single family housing becomes space and cost prohibitive. In a rural setting condominium is becoming the cottage development of choice. Typical cottage concerns of security, insurance and maintenance are solved by the condominium model. The archaic model of subdivision is being replaced by bare land condominium and the possibilities are limited by our own creativity. Dream large!

Our industry is responding to this growth by becoming more innovative in project design, in legislative and condominium community infrastructure and even in sectors such as furniture, window coverings and flooring designs. Truly a different world then seen in 1982. Although we have made amazing improvements the central issues of living in community still exist. The 3P's of people, parking and pets continue to provide the greatest challenges to our owners, Boards, managers and lawyers. The more we evolve the more we stay the same.

The role of CCI both nationally and locally has also evolved but we have not and cannot lose sight of our core values of education and lobbying. Only through education can we attempt to ease the melt down of the 3P's. Only through lobbying can we bring in further reforms to

Often I am asked when will the condominium bubble burst. My response is - we are just getting started.

ease the solution of the meltdowns. Only through the partnership of CCI and all sector of condominium interest can we ensure our future development will be positive for condominium.

In 2006 I was fortunate to travel to Ireland, San Francisco and Italy for business and pleasure. Every trip of mine, as my children long ago learnt, involves a review of the local condo market and trends. In all three places I witnessed continued urban growth, entry level housing prices averaging \$750,000.00 CDN and 30 to 40 year

interest only mortgages. The perfect breeding ground for condominium. Every city I am in displays the same variables and the same assurance this world of condominium will exist and flourish long after we are all gone. Yes folks on the 25th anniversary of CCI, I am forecasting condominium immortality.

Condominium has become international in structure and nomenclature, as the word 'condominium' is similar in different languages. This is shown in the picture of Condominio 78 I captured in Rome. Truly no different than Condominium Corporation No 78 in any other jurisdiction or language. Regardless of the language the problems of living in community are the same and the need for CCI as the solution provider the same. Anyone for starting an Italian CCI Chapter?

Thank you for the opportunity of experiencing this wonderful world and meeting many of you over the last 25 years. I doubt I will be involved for 25 more but many of you will be. Accept the passed torch and work for the betterment of condominium everywhere, in every language and every culture.



Nova Scotia's Condominium Market



The Condominium market in Nova Scotia is alive and well. Construction continues with new developments being built in many centres all over the province. Developers are designing units with the new buyer in mind. Never before in our market has there been such a variety of style and location to please today's buyer. Empty nesters are driving sales in new developments designed to suit the lifestyle of couples moving out of the family home. They want a more carefree, no maintenance way of living that allows them to travel and forget house worries. The developments that were built in the late 1980's and early 90's are now attractive to many first time buyers and singles and in many cases represent the entry level market in price range.

The Canadian Condominium Institute (CCI) Nova Scotia Chapter can and does play an important role in the condo community. We offer education seminars for owners who may want to become involved in the management of their buildings by serving on the Board of Directors, seminars on dealing with difficult people, seminars on Reserve Fund studies and all aspects of condo management. We are the only non-profit organization devoted exclusively to members of the condo community including owners, directors and service providers such as Realtors, property managers, landscaping companies.

CCI also can act as an advocacy group for changes in legislation governing condominium. Currently CCI-NS is

forming a committee to address the numerous cries for help from owners of new developments who inherit problems the developer left behind.

The future of condominium ownership is solid but as in all areas of life not without a few bumps along the road. Educating oneself on the largest single purchase most people make in their lifetime is the first step to minimizing your risk. Look for a well respected developer if buying new, choose a well managed existing development if buying 'used' and pick a competent Realtor to represent you when you purchase or sell.

CCI Connects With Big Government



Loyola Hearn

CCI National met with Federal Minister Loyola Hearn in early February. Charlie Oliver, John Peart and Larry Holmes engaged in discussion with the Honourable Minister providing background on CCI, the importance of condominiums in Canada and the reality that the industry is growing considerably. Given the significant growth of new construction and conversions in the industry, the Minister was supportive of the efforts being made by CCI in its role of education and awareness building.

"We recognize the significant impact the condominium lifestyle is having in our larger cities and across Canada. It is additionally creating the opportunity for homeownership for both new home buyers and the elderly that comfortably addresses their varied needs of which affordability and security come quickly to mind" says Loyola Hearn.

Charlie added that "CCI appreciates the warm reception from the Minister as well as his genuine interest in our mandate of representing condominium owners across Canada."

CCI National has undertaken to meet annually with representatives of the Federal Government, CMHC and other agencies from time to time that have influence in our industry.



Condo Cases across Canada



ISSUE NO. 16

I have been asked, and it is my pleasure, to provide these brief summaries of recent court decisions across Canada, respecting condominium matters. 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.

THE HOT TOPIC: PROXY SOLICITATIONS MUST NOT BE MISLEADING

Kluwak v. Pasternak (Ontario Superior Court of Justice) (December 11, 2006)

[Editorial Note: This Court decision does not deal with a condominium corporation. It deals with a publicly traded real estate investment company. Nevertheless, I believe that the principles expressed in this decision have equal application in the condominium setting.]

Griffin is a publicly traded real estate investment company. Kluwak was one of a number of dissident shareholders who were concerned about Griffin's strategic direction and management. They waged a campaign to obtain proxy votes in order to oust the existing Board. The dissident group sent circulars to all shareholders, in order to solicit their proxy votes.

The dissident Group was able to obtain the votes required to change the Board. However, Pasternak (the incumbent director and Chairman of the Board, who chaired the AGM) rejected the proxy votes, on the basis of legal advice. The Corporation's lawyer advised that the proxy votes should be rejected because the circulars were misleading. As a result, the incumbent Board was re-elected.

Kluwak made application to Court to set aside the election and to have the proxies accepted.

The Court agreed that the circulars distributed by the dissident owners were misleading in many material respects. The circulars contained missing or misstated facts that would be considered important by a reasonable shareholder (in deciding how to vote). Therefore, the proxy votes were unreliable. However, the



Court said that the proper remedy would be to delay the election until there had been an opportunity to correct the misleading circulars. The Court said:

"I am concerned that management raised no concerns with the dissident proxy circular prior to the AGM... It was manifestly unfair to 'wait in the weeds' until the meeting itself to raise the objections. A better course would have been to request the dissidents to correct their circular and adjourn the AGM if necessary, or to apply to the Court for a determination of whether the proxy was materially misleading, and, if it was, to give an opportunity to the dissident group to correct it."

The Court accordingly declared that the election was invalid and ordered a new election to be held at a new AGM. The Court ordered that the AGM be held at a date that would give sufficient time for the dissident group to correct the material misstatements in the dissidents' proxy circular, and for management to amend its own management circular if desired, and have both disseminated to the shareholders. In the event of continuing disputes about the information disseminated to shareholders, the parties could return to the Court for further direction.

*[Editorial Comment
The Relevance for Condominiums*

*These sorts of situations are not uncommon in the condominium setting. A group of owners may be unhappy with the incumbent Board and may send circulars to all owners as part of a campaign to gather proxy votes (in order to oust the Board). The *Kluwak v. Pasternak* decision tells us that careful steps may be required if the distributed circulars are considered misleading. In particular, steps should be taken, without delay, to correct the misleading statements. These steps could include the following:*

- *The incumbent Board should contact the dissident group of owners, in order to point out the misleading statements, and to afford those owners an opportunity to correct those statements by way of further circulars to all owners.*
- *The incumbent Board may distribute its own "correcting circulars".*
- *In extreme cases, it may be appropriate to seek direction from the Courts.*

In the meantime, any election should be delayed until such time as all owners have received complete and accurate information as necessary to allow the owners to make proper, informed decisions about how to vote.]

ONTARIO CASES

Bahadoor v. York Condominium Corporation No. 82 (Ontario Superior Court of Justice) (December 4, 2006)

Mandate of administrator suspended

An administrator had been appointed to govern the affairs of the condominium corporation. See *Condo Cases Across Canada*, Issue No. 10, May 2005). During the administrator's mandate, a meeting of owners was held to elect a new board of directors. The owners also voted overwhelmingly in favour of terminating the mandate of the administrator. Following the meeting, some of the owners made application to the Court for an Order approving the election of the new board and discharging the administrator. The Court ordered that the mandate of

the administrator be suspended and that governance of the condominium corporation should be turned over to the newly elected board on an interim basis, subject to further reporting requirements and Court review. The new board would have to satisfy the Court that it had established "realistic and achievable plans" to address the challenges faced by the condominium corporation. The Court would review such plans on January 31, 2007. At that time, the Court would decide whether or not to reinstate the administrator.

The Court said: "It is time for this new board to demonstrate that it can provide (realistic leadership for the condominium)".

[Editorial Comment: One factor that particularly impressed the Court was that the new board had secured advisory services of an experienced condominium manager. This helped persuade the Court that the newly elected board should be given a chance to take on control of the condominium corporation.]

York Condominium Corporation No. 382 v. Jay-M Holdings Ltd. (Ontario Court of Appeal) (January 29, 2007) **Limitation period had not expired**

The condominium corporation appealed from an Order dismissing its building deficiency action on the grounds that the limitation period under Ontario's new *Limitations Act* had expired. The lower Court had said that the ultimate 15-year limitation, under the *Limitations Act*, had expired.

The Court of Appeal reversed the lower Court decision. The Order dismissing the action was set aside. The Court of Appeal said that if the basis for claim was not discovered until after January 1, 2004 (the date of arrival of the new *Limitations Act*), but the act or omission took place before that date, the 15-year new ultimate limitation period started to run on January 1, 2004.

Metropolitan Toronto Condominium Corporation No. 551 v. Adam (Ontario Superior Court of Justice) (December 5, 2006)

Owner's numerous demands not considered oppressive. Owner not required to disclose reasons for requesting information.

An owner, Mani Adam, had made various requests for records and also had numer-

ous communications with the condominium corporation about various issues. Mr. Adam felt that that the condominium corporation had not properly responded to his requests to see records, and as a result he had brought a claim in Small Claims Court, seeking a penalty of \$500 from the condominium corporation (pursuant to Section 55 of the *Condominium Act, 1998*). The condominium corporation felt that Mr. Adam's numerous requests and demands were "oppressive".

The parties were able to reach an agreement respecting certain matters which the Court described as a "protocol pursuant to which the parties would exercise their rights and fulfill their respective obligations as condominium unit owner and condominium corporation".

However, the Court was asked to rule on three issues respecting which the parties could not reach agreement:

1. The condominium corporation sought an order prohibiting Mr. Adam from communicating with the condominium's directors except by letter.
2. The condominium corporation sought an order prohibiting Mr. Adam from communicating with third parties concerning the condominium.
3. Mr. Adam sought an order that he be permitted to make copies of condominium documents using his own scanner.

The Court declined to make any of these orders.

The Court's decision included the following:

- Although Mr. Adam's behaviour was annoying and at times ill mannered, and although his suggestions were sometimes unreasonable, his conduct was not oppressive.
- The condominium corporation's actions were also not oppressive.
- The photocopying charges demanded by the condominium corporation were "de minimus" (too small to be of concern to the Court).
- The right of Mr. Adam to see the corporation's records – i.e. whether or not the condominium corporation had failed to meet those rights – would be determined by the Small Claims Court. [However, the Court did say this much:

A condominium corporation cannot require the person to disclose his reasons for requesting information or for seeking to see the records.] [Editorial comment: According to Section 55(3) of the *Condominium Act, 1998*, condominium owners may inspect the corporation's records (apart from records listed in Section 55(4)) "for all purposes reasonably related to the purposes of this Act". Therefore, it seems to me that the purposes or reasons for the desired inspection are relevant and that the condominium corporation should accordingly be able to ask the owner to disclose those purposes.]

ALBERTA CASES

Murkute v. Owners Condominium Plan 8210034 (Alberta Court of Appeal) (October 30, 2006)

Condominium Corporation fulfilled its duty as occupier

The Trial Court had dismissed the plaintiff's claim for damages due to a slip and fall while on the common elements of the condominium corporation. The Court of Appeal affirmed the trial Court decision.

The Court of Appeal confirmed that the condominium corporation was occupier of the common elements and accordingly owed a duty to take reasonable care to see that persons using the common elements were reasonably safe. The Court of Appeal said that the condominium corporation had reasonably fulfilled its responsibility by contracting with a competent maintenance firm to keep the common areas free from ice and snow. The Court found that the contracting firm had reasonably discharged its duties. That being the case, the condominium corporation could not be found negligent, and there was no need to consider the application of Section 11(1) of the *Occupier's Liability Act*.

Condominium No. 822 2630 v. Danray Alberta Ltd. (Alberta Court of Appeal) (January 22, 2007)

Court of Appeal finds no breach of fiduciary duties

The Trial Court decision (see Condo Cases Across Canada, Issue No.11,

August 2005) was reversed by the Alberta Court of Appeal. The Court of Appeal found that there was no breach of fiduciary duty by Danray Alberta Limited or Danny Taran. The Court's reasons were as follows:

- Neither Danray nor Taran could be considered owner-developers, and therefore they did not owe the fiduciary duties that come with such a role.
- There was, in any event, no statutory duty to establish a reserve fund. In the absence of a statutory requirement, an owner/developer does not owe a fiduciary obligation to establish a reserve fund sufficient to pay future capital replacements.
- The individual purchasers had bought on an "as it stands" basis. They were advised of the correct amount in the reserve fund and there was no basis for any understanding that Danray or Taran would act on their behalf in ensuring that the reserve fund was adequate.
- Taran did not breach his fiduciary obligations to the corporation as a director. He acted honestly and in good faith, while on the board, and there was no statutory obligation on him to maintain a reserve fund. Furthermore, Taran was not in a conflict of interest.
- Newco was the beneficial owner of the property and was the party actually selling the condominiums to the public. If any fiduciary duty could be owed, it was owed by Newco.

Condominium Plan 0122336 v. Shivji et al (Provincial Court of Alberta) (January 10, 2007)

Condominium corporation obligation to arrange insurance does not render corporation responsible for deductible

Damage was caused to two units in the condominium because of water escape from a frozen pipe. The pipe had frozen because the tenants in one of the units had negligently turned the thermostat down to "zero". The corporation had arranged insurance but the amount of the damage was below the insurance deductible of \$25,000.

The Court said that the condominium corporation had properly fulfilled its insurance responsibilities. The deductible was

not unreasonable. The question was: Who was responsible for the deductible? The Court said: "A determination must flow from the by-laws". In this case, the by-laws were silent as to responsibility for the deductible.

However, under the terms of the by-laws, the owners were responsible for repairs to the units. Therefore, the owners were responsible for any required repairs falling within the deductible. The Court said that the condominium corporation is not an "insurer for the deductible", unless the by-laws so provide.

Condominium Corporation No. 9813678 v. Statesman Corp. (Alberta Court of Queen's Bench) (December 7, 2006)

No waiver of subrogation against developer unit owner (for steps taken in capacity as a contractor)

The condominium buildings were damaged by fire. The damage was covered by insurance. The insurer then sought to assert a subrogated claim against the developer, based upon the allegation that the cause of the fire was negligence associated with the use of a propane torch by an employee of a waterproofing company subcontracted by the developer to provide construction services.

The insurance policy included waivers of subrogation against various entities including the unit owners. The developer owned units and accordingly asserted that it was entitled to the benefit of the waivers of subrogation.

The Court said that the reference to condominium unit owners, in the waivers of subrogation, did not include the developer "in its capacity as a contractor". Condominium corporations were capable of bringing actions against owners in the condominium. Therefore the insurer could assert a subrogated claim, unless this was prevented by a waiver of subrogation. In this case, the waiver of subrogation did not apply to the developer in its role as a contractor and the developer also was not an insured under the policy in relation to its construction activities.

BC CASES

Strata Plan VR 2000 v. Grabarczyk
(British Columbia Supreme Court)
(January 23, 2007)

**Owner in breach of noise by-laws.
But fines reduced.**

The Court found that the respondent owner had contravened the strata corporation's noise by-law by deliberately and repeatedly making loud noises highly disruptive to another owner. The Court did not find the respondent's explanations to be believable.

The fines claimed by the condominium corporation were reduced because the Court found that many of the respondent's contraventions of the noise by-law were separate or distinct contraventions – as opposed to “continuing” contraventions within the meaning of Section 134(3) of the *Strata Properties Act*. The Court accordingly found that many of the fines had not been properly imposed because the respondent had not received particulars of the complaint in

writing and a reasonable opportunity to answer the complaint before the fine was imposed.

Sauve v. McKeage (B.C. Supreme Court)
(May 24, 2006)

**Truck not “stored” on Strata Lot.
But No costs awarded to strata corporation because case of “public interest”**

The plaintiff and the defendant are owners of adjoining strata lots. The statutory building scheme prevented trucks over 1/2 ton from being “stored” on a lot other than in an enclosed garage or other suitable enclosed space. The defendant was employed by an electrical utility company. His duties included a call schedule which required that he park a large truck (more than 1/2 ton) in the driveway of his strata lot for eight weeks per year.

The Court found that this did not constitute “storage” of the truck and accordingly did not offend the building scheme. The Court also found that the truck did not constitute a nuisance.



Although the strata corporation was also included as a respondent to the application, the Court declined to award any costs to the strata corporation because “this case approaches a public interest kind of a case, where the interest of the plaintiff is not solely limited to her private interest but can be seen as representative of the interests of others”.



A milestone event not to be missed!
Mark your Calendars and Book your Airfare for CCI's

25th Anniversary Celebration

Saturday November 3rd, 2007

Doubletree International Plaza Hotel Toronto Airport
655 Dixon Road, Toronto, Ontario

6:00 p.m. - Champagne and Cocktails
7:00 p.m. - Seated Dinner

(Following the CCI/ACMO Conference on November 2-3, 2007)

Don't miss out on a part of History!

Awards

Gifts

Giveaways

Surprises!

Toronto Chapter

The Toronto chapter is pleased to announce that Brian Horlick was elected to the Toronto chapter Board of Directors at the Annual General Meeting held on November 23rd, 2006. Brian is a lawyer with the firm Horlick Levitt and has been involved with CCI Toronto for a number of years as a course instructor and conference presenter/sponsor. Brian will serve on the Public Relations Committee helping to oversee the production of the *CondoVoice* quarterly magazine.

Recognition was also recently given to Manhattan Place for their newsletter in CCI-Toronto's "Condominium Corporation Newsletter of the Year Award" contest. Numerous directors on the Newsletter Committee of Manhattan Place, were on hand at the chapter Annual General Meeting on November 23rd to receive their award.

Congratulations go out to John Oakes for receiving the FCCI designation, making him a Fellow of the Institute. John received this recognition recently at the CCI National Awards Dinner Ceremonies, held on November 3rd and is a very deserving

recipient. John is an active member of the chapter, presenting at the Basic Course and Annual Conferences as well as representing the chapter on several recent legislative matters.

The CCI-Toronto Legislative Committee teamed with ACMO and the support of other Ontario CCI chapters continues to meet with the Ministry of Energy regarding the draft regulations on Smart Metering. It is hoped that these joint efforts will result in final Regulations which address the needs and unique circumstances of condominiums throughout Ontario.

The spring of 2006 is looking to be another busy season for CCI Toronto. The chapter will once again participate in Springfest to be held on April 13th, 2007, with both an exhibit booth in the Trade Fair as well as an Educational Session. The Basic course was held on Wednesday evenings from February 21st to April 4th and registrations are now being accepted for the four-night Advanced Course being held on Tuesdays commencing May 8th.

Lynn Morrovat, CCI-Toronto and Area Chapter Administrator

South Saskatchewan Chapter

We've had a busy few months here in Regina. First off, our president Norbert Lepage was forced to resign due to a heart attack. He is doing fine and recovering nicely but has chosen to lessen his activity and remain off the board. I (Jim MacKenzie) have assumed the presidency, a little sooner than I was planning, but so far, so good!

Cam Dupuis of CMHC spoke to us about mold and humidity problems in residences at our educational seminar on November 14. The discussion was lively and interesting and I personally learned a lot about the subject.

On January 9 I led a seminar about directors' and officers' liability for condominium boards. I taught the audience about what the duties and exposures are and how to insure against them. Lots of good questions were asked. I hope to present this seminar again in the future.

By the time you read this, our February 13 seminar will have happened – the topic was "Our Condo Has a Problem!" It's the first in a series of many less formal discussions on what sorts of problems condo boards in south Saskatchewan are facing and the solutions they have found.

On March 13 we'll be holding "Are Your By-Laws Enforceable?" Lawyer Jamie Nykolaishen of Robertson Stromberg and Madeleine Robertson of Saskatchewan Justice will be presenting.

Madeleine is the chief architect of the *Saskatchewan Condominium Property Act* and always has interesting things to say. Jamie is on our board and will be discussing some of the practical legal implications of by-laws.

On April 10 Charles Keple will be leading a discussion that follows nicely from the by-laws seminar. How precisely do condominium boards define what is permitted and decide what is reasonable? What kinds of restrictions about outdoor green spaces and exteriors are reasonable? Charles' condominium board has been very successful at coming up with a reasonable balance between maximizing property values and giving unit owners some freedom. Charles will discuss some of the practicalities of dealing with these conflicting goals.

Finally, in May our chapter is hosting the annual Spring Conference for CCI National. The board and committees will meet on May 24. On May 25, the first of two national Human Rights Symposia will be held. We have an excellent lineup of speakers and I'm excited to see how the day unfolds. On May 26 we will be holding our second Condominium Conference of the year. We have already lined up seminars discussing legal issues surrounding condominiums, and the art of community-building. Please contact our chapter for more information. We are sincerely looking forward to seeing you at the Ramada Regina in May.

Jim MacKenzie, President, CCI South Saskatchewan Chapter

chapter CHATTER

North Alberta Chapter

At CCI-North Alberta chapter, it is back to business after a very hectic holiday season and now we are plotting and planning for the joint 25th anniversary of both CCI National and our very own chapter.

Committees have been struck to work on the celebration and one of the very much anticipated events is headed up by Ben Van De Walle who will coordinate the event throughout the year and is scheduled to cumulate at our Annual General meeting this September 2007.

The committee responsible for the magazine which is chaired by Ken Wall has done a vast amount of work and already we can see a major improvement in our current edition of the In Site magazine and I am told that there are more improvements to come with the special Silver Anniversary edition.

Since my last report, we have had two CM100 courses which were very well attended and the feedback from attendees were nothing but wonderful. Enforcing and Writing By-Laws in Plain Language was also a success. Emil Schreiber who is Education Chair has said that these Hot Topic seminars are major crowd pleasers and the Education Committee strive to have more in future.

We are also planning our strategy for the Canadian Condominium Institute 2007 Symposium scheduled for May 25 2007 in Regina. The plan is that most of the members of the Board will be attending along with others from our membership.

Golden Horseshoe Chapter

The Board held its annual all-day planning session in early January to plan our future events. For 2007, these include:

- Level 100 Directors course in Burlington on April 21st and in Kitchener on April 28th
- Our "Energy Matters" seminar in Burlington, the evening of June 21st.
- Level 200 Directors course in Burlington on October 13th and 20th and in Kitchener on October 20th and 27th

Details and registration forms are available off our web site; www.ghccci.org.

The chapter will be hosting a luncheon on March 27th for those chapter members having their ACCI designation. This will be an informal get together to discuss chapter initiatives.

In celebration of both CCI National's and the Golden Horseshoe chapter's 25th Anniversary, the chapter will be hosting a gala dinner in conjunction with our AGM. Scheduled for

We have just received the resignation from our Administrator Natalie Hingley. She will be missed and we wish her nothing but success in her new position with her new endeavors...and here we go again...the interviewing process is in full swing.

That is all from CCI North Alberta and I wish you all great success in your chapters as we have enjoyed in our chapter over the past year.

Marva Carter, President, CCI North Alberta Chapter



September 13th at the Royal Botanical Gardens in Burlington, we shall be conducting our AGM first and then having a sit down dinner. We are arranging for an illusionist to be the evening's entertainment. The chapter is planning to cover a portion of the dinner fee as a gesture of thanks to our members. There will be additional sponsorship opportunities.

The chapter is also very pleased to have recently donated \$3,000 to CCI National in support of the 25th Anniversary Dinner that will be held November 3rd as part of the CCI/ACMO Annual Conference.

As part of the chapter's 25th anniversary events, an advertising/promotional insert will be going into the Hamilton Spectator, Burlington Post, Kitchener Record and Guelph Mercury newspapers in May.

*Kim Coulter, ACCI, Chapter President,
Golden Horseshoe Chapter*

Ottawa & Area Chapter

Is it Spring yet? This has been an awesome winter for Winterlude in Ottawa – three weekends of fun and frolic on the frozen surfaces of the Rideau Canal. With not even a threat of a thaw to melt down any of the snow or ice sculptures it does lend itself to ask the question – is it spring yet?

With the recent expansion of the Board from seven to nine members, the chapter is pleased to announce the appointment of Constance Hudak, Condominium Owner/Director and Terry Markell of Hub International as our newest Board members.

The first event for 2007 was held on February 7th with a winter evening seminar. It was the third year that the chapter offered Ottawa's version of Money, Guns and Lawyers – Case Law Update with seminar leaders John Peart, LL.B., ACCI, FCCI, Low Murchison and James Davidson, LL.B., ACCI, FCCI, of Nelligan O'Brien Payne. This informative session based on new developments in court decisions proved to be a great success with some familiar faces from past events and some new faces. All in all, there was a very successful turnout.

Following the February session, the chapter offers a Condominium Director's Forum on Wednesday, March 7th. The objective behind any of the chapter Forum's is to provide those present with a great topic – start the conversation, provide a moderator to keep things rolling but let the director's share amongst themselves how they may have dealt with the matter at hand. The topic – Employment Issues for Condos will be moderated by Lori O'Neil, LL.B., of Nelligan O'Brien Payne. The

Nova Scotia Chapter

Hello from Nova Scotia. Lot's of things in the works for the second half of the year here at CCI-NS.

On February 17th, our next seminar entitled, "Dealing With Difficult Situations (and People)" is being held on Saturday morning from 9 -12 at St. Mary's University in the Sobeys Building, in Halifax. Dan Galletti of Merit Property Management and Bob Daley of Concord Property Management are conducting the session. They were both elected to our Board last September and are certainly making a great contribution to the condominium community. We appreciate it.

We've also set a date for the "Contracting for Services & Reserve Fund Studies" seminar. It's to be held Saturday morning, March 17 also at St Mary's in the Sobeys Building. Former Board member & property manager at CitiGroup Properties, Lisa Power will share hosting duties with Jim Fletcher, senior project manager at Jacques Whitford Ltd. Lisa has contributed many hours to CCI as a seminar co-presenter of the CM100, 200 and others. Not only do we learn but we enjoy doing it, what could be better. This will be Jim's first time as a presenter and we look forward to meeting him.

registration fee will be underwritten by the firm Nelligan O'Brien Payne in order to reduce the registration fee. The chapter's offering of these forums proves to be a unique opportunity for Board members to share experiences.

The chapter is planning a special luncheon for the Property Managers in the Ottawa Area on Friday, March 23rd. Janice Pynn, President of CCI-Toronto has been invited to speak.

And then, once again, the registration is full for the April 21st and 22nd offering of the Directors Course. The speakers are owed a great deal of thanks for making this course so popular. It is never too early to plan to attend one of the chapter's Directors' Courses, the dates for the Fall course are November 17 & 18, 2007.

Now back to the day-to-day operations of keeping all of the other administrative work flowing. Work continues on newsletters and work has just been completed in producing the chapter's 2007 Professional Services and Trades Directory. Membership in the chapter is on the rise with over 400 members. A project leader and a committee has been formed to help the chapter promote the CCI 25th Anniversary in 2007.

For more information on enrolment in our courses, seminars or the Condominium Director's forum, please call (613) 247-4718 or visit the web site at www.cci.ca/Ottawa.

Liz Dowd, Administrator, Ottawa & Area Chapter

A consensus emerged at our annual meeting last September that the condominium community wanted us to become more active in helping protect the rights and interests of condo buyers and owners. In response to this we have formed an Advocacy committee. The first step is a questionnaire to the membership asking for their stories. At the same time we are researching how other provinces and locales are dealing with problems. Once that is done the committee will prepare a position paper to be submitted to government for action.

On a related issue, we have been asked to comment on proposed amendments to the Nova Scotia Consumer Protection Act. The changes are relating to deposit protection for purchasers of new residential units.

Our winter newsletter is hot off the presses but that's the only thing that's warm these days. Try to enjoy the rest of it every one... spring is just around the corner.

Norma Cameron, President CCI Nova Scotia Chapter

chapter CHATTER

London & Area Chapter

Thank you all for your ongoing and very warm congratulations on the wonderful awards bestowed upon our chapter this past November. They are very much appreciated. I must reiterate once again that this award is most certainly the outcome of much energy, talent and participation by the chapter's Board of Directors, all of our writers, the seminar presenters and condominium course instructors, the advertisers in our publications, and by all of you who participate at these events. The time you most graciously volunteer to the betterment of our chapter is inspiring. Congratulations to you all!

Despite (my) major computer challenges we were able to get the winter CCI Review and the Professional Service & Trades Directory out in early January. These publications do not happen without the expertise of our writers, the continued support and generosity of our advertisers and your suggestions. Thank you one and all. And, we send a special and heartfelt thank you to Lisa Peter-Ross of Hill Street Ad & Design for her brilliant design work in our directory.

The bitter cold evening of January 23rd was warmed by the "light bulb" moments we encountered at the Seminar "Adequate Disclosure & Status Certificates: protect yourself from liability – don't create it!" Joe Hoffer most expertly introduced the evening's panel of Connie Grant, CMOC, CRES, ACCI, FCCI of RE/MAX Advantage Realty Inc., Susan Size, CMOC, ACCI, FCCI of Thorne Property Management Ltd., and Jeffrey Bell, LL.B., of Cohen Highley Law Firm to 65 of our most dedicated and eager attendees. We learned that this facet of our corporations is a most critical one and requires the most dedicated attention to detail. Education in the area condominium community is very strong by the participation and support of our experts.

The Condominium Round Table will continue their discussions on the second Wednesday of the month. Condominium Directors interested in joining this group discussion can view the upcoming topics on the website, in the chapter newsletter

Vancouver Chapter

As I write this the Stanley Park clean-up continues! Not to worry, all should be in order for the Spring 2008 mid-year meeting in Vancouver!

Our chapter continues to work hard to raise the awareness of CCI in the Lower Mainland and increase membership at all levels. We are also aiming at distributing our quarterly newsletter to as many condo boards and condo industry professionals that our budget allows for. We are also utilizing the services of our Vancouver Island members to try and increase CCI awareness across the water!

Membership growth has been steady so far and we hope to see the numbers increase in much the same way as last year.

or the Professional Service & Trades Directory (2007). Your RSVP is required as seating is limited.

As the winter months continue (in most unpredictable weather) we look to spring. On March 27th, Susan Size has gathered another group of experts to address essential areas of condominium preventative maintenance. Joining our panel is Tim Beattie, P.Eng., of Brown & Beattie Ltd., who will address the building envelope – how doing regular inspections and preventative maintenance will maintain property values and reduce future costs; Jay Murray and Dave Leff of TLC who will focus on how your landscaper can assist in the development of a maintenance plan for your grounds and gardens, what can be done to prepare for London's pesticide ban, and they will also speak to infestations such as the ash borer; and George Compton who will tackle the manager's perspective, including how to collect repair data from owners and through inspections, professional reports and how to set up an effective maintenance plan with the board of directors.

On May 15th a panel of legal experts will join together to address many of the legal aspects of condominium at the seminar: "There are no stupid questions!" Once again, we invite our members to encourage friends and colleagues who have recently chosen the condominium lifestyle to experience the quality of our education and expertise in the London area. The condominium lifestyle is by no means for everyone; however, some education goes a long way to making it a pleasurable experience.

The London Spring Home & Garden Show will take place at the Western Fairgrounds on April 20th to 22nd. We hope to see you there.

Until we meet again, be well and enjoy. As always, your comments and suggestions are most welcome.

Trish Kaplan, Administrator, CCI-London & Area Chapter

Due to unforeseen circumstances we were forced to cancel the CCI Vancouver Seminar that was to be held on February 10, 2007. It has been re-scheduled for April 21st and the topic of the Seminar will be on building envelope issues and will be presented by Halsall Engineers & Consultants. Plans for future seminars are already under way with the following topics being considered:

1. Strata Management Licencing – Where are we now?
2. Board governance – Some do's and don'ts; and
3. Earthquake preparedness for condominium owners.

Jamie Bleay, President - 2007/2008, CCI Vancouver Chapter

Windsor-Essex County Chapter

Congratulations CCI on your 25th Anniversary. To commemorate this 25th year of CCI, our chapter is promoting education by disseminating information through seminars, newsletters and our website regarding current issues involving condominium living. Other initiatives being undertaken by our chapter include political lobbying to ensure value is received by condominium unit owners for property taxes paid. The CCI General Forum (an interactive condominium discussion on the internet) has also been instrumental in communicating our ideas with other CCI members. Over the past 25 years, CCI has built relationships across Canada for those involved in condominium living. By banding together, CCI has been able to advocate for the rights of the condominium unit owner and has been instrumental in reforming the legislation. Our chapter is focusing on ways to continue promoting these momentous goals.

The 2007 membership drive is on! If you haven't renewed your membership yet, renew now to ensure timely delivery of educational materials. For more information on how to become a member of the CCI Windsor-Essex County chapter or to become more involved in our chapter, please call 519-978-3237 or visit our website at www.cci.ca/Windsor. Membership has its benefits, including Mandatory Continuing Education (MCE) Credits for real estate professionals.

Windsor-Essex County condominium development is on the rise. Our local website and chapter, known to condominium communities throughout Canada, can provide links to your business and we would encourage you to take advantage of this marketing service. There are great advertising opportunities for our business and professional members in our Directory and Newsletter circulations, as well. Please call 519-978-3237 to secure this advantage.

*Andrea M. Thielk, BA, LLB, JD, ACCI (Law)
President, CCI Windsor-Essex County chapter*



Northwestern Chapter

Greetings from Thunder Bay. One of our most exciting accomplishments this year was the publishing of the first edition of our newsletter, the Superior Region CONDO NEWS, with our second edition due to hit the streets this spring. This newsletter has been very well received.

On March 21, 2007, our chapter will be sponsoring a seminar on fire safety. This particular seminar is aimed at individual unit owners and will be free to all members. Representatives from the local Fire Department, alarm maintenance companies and the Fire Marshall's office will be presenting. Demonstrations of equipment and alarms and a Q&A session will be held at its conclusion. This seminar is a response to requests from individual unit owners.

On the membership side of things, we have established a trade directory hoping to increase our membership of different trades. Our membership has seen a slow but steady increase in the past year and we anticipate more of the same for this year.

Our Board continues to work well together and we welcome the addition of Les Scrimshaw to the Board this year. We continue to look for volunteers to help with the various committees.

Paul Muller, V.P., CCI Northwestern Ontario

A graphic featuring the CCI logo (Canadian Condominium Institute Toronto & Area Chapter) and the ACMO logo (Association of Condominium Managers of Ontario). The background shows a stylized cityscape with skyscrapers.

CCI
Toronto and Area Chapter

ACMO

CANADIAN CONDOMINIUM INSTITUTE
TORONTO & AREA CHAPTER
AND THE
ASSOCIATION OF CONDOMINIUM
MANAGERS OF ONTARIO

Mark Your Calendars!

2007 JOINT CONDOMINIUM CONFERENCE
Building Better Communities – Going Green!
November 2 & 3, 2007

Doubletree International Plaza Hotel & Conference Centre
Toronto, Ontario

CANADIAN CONDOMINIUM INSTITUTE 2007 SYMPOSIA PROGRAM

HUMAN RIGHTS ARE EVERYONE'S RESPONSIBILITY



Friday, May 25, 2007
Ramada Hotel Regina, Conference Centre,
1818 Victoria Ave., Regina, SK

For accommodations call Ramada Hotel
 Regina at: 306-569-1666
 Special CCI Symposium Rate: Single/Double \$92.00

Preliminary Program at a Glance

8:30 a.m. - 3:30 p.m.

Registration and Coffee

INTRODUCTION

Barry R. Scott, LLB, ACCI, FCCI

Karen Busby, LLB, LLM

Professor University of Manitoba Faculty of Law, Winnipeg, MB

What are the human rights issues in Condominiums – Are we prepared?

Mickey Woodard, Q.C.

MacPherson Leslie & Tyerman LLP – former Senior Counsel to Saskatchewan Human Rights Commission, Saskatoon, SK

Human Rights Commissions: The Statutory Process

KEYNOTE SPEAKER

Paul D. Grucza, CMCA, AMS, PCAM

Regional VP and Corporate Trainer for RTI/Community Management Associates, Inc. – former President of Community Management Associations Institute, Dallas, Texas

Human Rights and Community Associations in the USA – Are We Keeping Pace?

Anne M. Wallace, Q.C., C.Arb, C.Med

Anne Wallace Legal Professional Corporation, Saskatoon, SK

Lessons learned from the workplace: accommodation, costs, changes to processes – what can condominiums expect?

Jamie Bleay, LLB, Access law, Vancouver, BC

Victoria Archer, LLB, Gledhill Larocque, Edmonton, AB

What are we doing now and how well? – Proactive steps taken by condominiums, how to prepare for and respond to a human rights challenge, tips to promote best practices

Question Period and Wrap up

REGISTRATION FORM

Name _____

Company _____

Mailing Address _____

City _____

Province _____

Postal Code _____

Phone _____

Email _____

Seminar Registration Fee:

	Early Bird Fee On or Before May 1, 2007	Regular Fee After May 1, 2007
Special Rate for CCI Members	\$95.00	\$95.00
Non CCI Members	\$195.00	\$259.00

Registration fee includes all sessions, two coffee breaks, lunch and all session material.

Registration fees must accompany this form or registration will not be processed.

CANCELLATION POLICY:
 Cancellations with full refunds accepted until May 10, 2007.

Cheque enclosed \$ _____ or Charge my: VISA MasterCard AMERICAN EXPRESS

Card No. _____

Expiry Date _____ / _____

Signature _____

Please return this completed form to:



Canadian Condominium Institute - National Office

2175 Sheppard Avenue East, Suite 310, Toronto, Ontario M2J 1W8

Phone: (416) 491-6216 / 1-866-491-6216 Fax: (416) 491-1670

Email: cci.national@taylorenterprises.com

Register Online at: www.cci.ca/Register/Regina.asp

Please sign below if you DO NOT wish to have your contact information, as provided above, included in the on-site roster. Full name, address, phone, fax and email will be printed in a roster format to be presented to all registered delegates attending the Human Rights Symposium to be held May 25, 2007. This information will not be used for any other purpose by the Canadian Condominium Institute.

I DO NOT want my contact information to be included in the on-site roster.

Signature: _____