



review

THE VOICE OF CONDOMINIUM

The newsletter of The Canadian Condominium Institute/Institut canadien des condominiums

National Edition Fall 2003



A Message from Your CCI National President



This is my last opportunity to address you as President. The year has gone so quickly but has been so rewarding.

The work of the National Board and committees continues to be the highlight of my year. I am so impressed with the dedication, professionalism, knowledge and volunteer spirit of the national directors and committee members. They have undertaken and completed some significant projects to advance the well being of the millions of Canadians who own condominiums or strata units in Canada. For example, CCI established a national task force to review and bring recommendations on the insurance crisis affecting condominium and strata corporations. The task force is working with an experienced risk management professional to develop a risk management education and action program for corporations. We expect their recommendations in November. CCI also invited all the government regulators to attend a joint meeting with us and each other this fall. This will be the first time that these regulators have met together as a group, a step which we hope will lead to improved understanding and legislation in all provinces in the future.

As President, I've also had the opportunity to visit five Chapters this year. Members of the National Executive visited other Chapters in our attempt to reach out to each Chapter during the year. Each visit was memorable and rewarding. The Chapter Boards and their volunteers are to be congratulated for their initiatives and continued work in providing education to their members and to promoting the other objectives of CCI in their area. The National Board is committed to supporting the Chapters in their work. Our recent investment in "Chapter clinics" at the mid-year meetings and other training events are additional ways of assisting the Chapter Boards to share best practices and provide improved service to the members. My thanks to all the Chapter directors and volunteers for their work on behalf of CCI.

One of the things that has become so clear to me this year is the value CCI provides to its members. By now you know that I am a huge CCI cheerleader. We all make choices about what organizations to join and some of those choices are based on cost/value estimates. Costs increase from time to time causing us to reevaluate our membership. Whether you are a professional, a condominium or strata corporation, an individual or a business, I am convinced that membership in CCI is one of the best investments you can make. Let's consider one example of a condominium or strata corporation with 50 units which pays \$200.00 per year in membership fees, of which \$35.00 goes to the National office. That membership represents a \$4.00 per year per unit contribution or 34 cents per month per unit. The National levy works out to 70 cents per year per unit or about 6 cents per month per unit. As a result of our members' support, CCI is able to undertake projects regionally and nationally which save condominium owners thousands of dollars, enhance the value of their properties significantly and provide them access to experts across the country.

CCI is the only national condominium organization which includes all segments of the industry and all condominium participants in its membership. This gives all of us access to condominium knowledge and experience in every area and in every province and territory. Very few of us would be able to afford to access this information alone, but through the sharing at CCI events, the annual conference, the website and newsletters, we all get access for the pennies we pay for membership. The money we save stays in our condominium/strata communities and means lower condominium fees.

Years ago CCI worked with Revenue Canada to protect interest income in reserve funds from taxation. Since then, condominium corporations and owners have saved thousands of dollars which they can reinvest in their condominium and strata communities. Our work with Bob Kelly and later the Canada Mortgage and Housing Corporation has created information

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tools for prospective condominium buyers, thereby saving tens of thousands of dollars in conflict resolution costs for corporations and existing owners. The new CCI Reserve Fund Guide provides a one stop reference for condominium corporations for less than the price of a good meal.

Every Chapter provides high quality education events presented by experienced and knowledgeable condominium professionals from all fields. Courses of this calibre, if available, often cost over \$1500.00 for two days. CCI members can access these courses for less than \$250.00 for two days. This means condominium corporations can have knowledgeable directors and members while saving thousands of dollars in course fees. In addition, at the courses condominium / strata directors and owners have personal access to those professionals, saving them more hundreds of dollars in professional consultation fees.

The National office and every Chapter produces a quarterly magazine or newsletter containing articles which provide practical advice to condominium corporations, professionals and owners. A subscription to one magazine of this nature alone can often cost the same or more than an annual CCI membership. Through the CCI Chapters, the members have access to articles in every Chapter magazine when Chapters reprint articles from other Chapters. Every CCI member (individual, professional, corporate or trade member) receives a copy of the CCI National Review which also includes substantive articles and the regular review of legal cases in Canada.

The forthcoming risk management/insurance education and action plan, we estimate, will save condominium/strata corporations even more thousands of dollars in future insurance premiums. CCI's lobby efforts for mandatory reserve funds and reserve fund studies is a major step towards preserving and increasing the value of the owners' properties. While the transition time for some has been uncomfortable, the reserve fund study gives owners access to valuable information about their property and certainty that the property will be maintained and the value of the investment protected. As we become more comfortable with the concept and its practice, the value will become more obvious to us. Recently one condominium corporation told me the value of their complex rose by over \$350,000.00 in one year because the board completed some minor capital repairs. The increased value of the property "paid" for the repairs, the total cost of the reserve fund study (in one year rather than

five), and a lifetime of membership in CCI. Not a bad investment!

You join CCI and every day your membership fee "returns" to you through these savings and enhancements in your property value. These are only a few of the "values" that I see in being a member of CCI. The contacts and friends that result from CCI membership are priceless. Where else can you get this type of return on your membership fees?

The coming year will be full of new opportunities for the National Board. I want to congratulate all the National Directors on all the work they have done this year and thank them for their efforts and time. I also thank their partners and families for their understanding, patience and support while the directors have been working on behalf of CCI. I must also recognize Diane Gaunt, Executive Director, and her staff at Taylor Enterprises for their excellent work, dedication and support for CCI. Diane has been with CCI since our fledgling years and as we continue to grow, she continues to provide the organizational insight and professional services we require to move forward. Thanks Diane.

To my fellow officers on the National Executive - you are incredible! Ron Danks has been a strong yet compassionate Chair. He leaves the Executive this year and we all thank him for his years of excellent service on the executive. Peter Harris has been and will continue to be our National Treasurer. He has provided us with professional advice and much needed humour during the year. Peter Leong joined the Executive as Secretary this year and will become our Vice President this fall. Peter continues to remind us that we can be professional, work hard and still have fun. In November, we will welcome a new Secretary to this awesome team. I am fortunate to be able to look forward to one more year on the Executive as Chair. Gerrit Roosenboom, our Vice President, has continually brought the perspective of the condominium owner to our discussions. He will be a strong and exciting President next year and I am confident CCI will be in good hands. If I am a cheerleader for CCI, Gerrit has to be the captain of the cheerleading squad.

Finally, to all of the members of CCI in our 14 chapters, thank you for your warm welcomes and your continued support for CCI. I welcome the opportunity to meet many of you at the upcoming annual conference and annual general meeting in Toronto on November 6 - 8th.

Deborah Howes

CCI National President

When Life Becomes a War Zone

Dealing effectively with challenging people

By Audrey Pihulyk

Are there people in your life who frequently explode emotionally, who are indecisive, negative or uncommunicative? Trying to deal with these people successfully, whether in our personal or business life, can be a frustrating experience. But take heart, there are some steps that can be taken to bring them on side.

Remember the last time you suffered a sunburn? Painful wasn't it? The same may be said of the difficult person - they are in pain. Emotional conflicts which bring pain to these people may be due to a number of factors that range from unresolved childhood trauma, such as sexual or physical abuse, to the lack of positive parental affirmation. Sometimes conflicts which arise between interacting individuals may be due to personality differences. So it is important that the person dealing with these difficult people has some knowledge of the dynamics of personality and how it affects behaviour.

The challenging behaviour may also originate from an innate need to emotionally survive. In the past, negative behaviour worked for them, so today it has become a reinforced way of behaving. In most situations, therefore, challenging people behave in ways that will help keep, or re-establish their control over others, while at the same time restoring their own sense of balance and self esteem.

So who are these challenging people? Well, we can broadly identify them as aggressive or passive. An aggressive person may be described as pushy and intimidating, capable of erupting into a tirade of words for seemingly no reason. They usually have a strong sense of how



others should act and think, and come from an "I am superior" orientation. From this lofty domineering position they are capable of intimidating their victims, keeping them defensive and off balance. These people need to be dealt with carefully, but firmly.

In a work situation it is wise to ask yourself a few key questions before taking on one of these "heavies." Ask, "Can they

injure me personally?" "Is my own work at an acceptable standard?" "Is this negative criticism hurled at me, warranted?" The answers to these questions and other related ones need to be carefully thought out before confronting such a person.

When confronted by an aggressive person, it may be difficult to get them to calm down, so give them time to run down and gain self control. While waiting, mirror their actions. Use voice and stance similar to theirs. After letting them fume for a short time, interrupt them as often as needed, calling them by name. Keep eye contact with the aggressor, and encourage them to sit down, as most people behave less aggressively when seated. If they do sit down, follow through with empathy, watching for the coded messages that may reveal clues as to what they are really trying to say. Internalize and mirror these messages back while asking open ended questions to get at the real issue. Using this assertive approach of standing up to the aggressor will help them realize that you are not a person that can be attacked easily or successfully.

The second group of difficult people is the passive type. This group includes the

negativists, the chronic complainers, and those who respond with “no comment.” The negativists are those who act out negatively toward most situations and feel that they have little or no power over their own lives. Therefore, through their negativity they hope to gain a measure of power over others by creating despair in them. Their power comes from dragging others down to their level, leaving their victims feeling frustrated, helpless and incapable of making sound decisions. These people dampen any suggestions with “There is nothing we can do, so why bother trying.”

The second type of passive individuals are chronic complainers, those difficult people who manage to find fault with most everything. They tend to view themselves as powerless and incapable of making changes. So they blame others for causing their woes, and this complaining keeps them appearing blameless and perfect, while leaving their victims feeling guilty and wrong. However, we must not mistake these skilled complainers with the people who have legitimate complaints, those who want to get something done.

The third type of passive people are the silent ones, those who can't or won't talk, many times just when you need them to do so. They retreat into the safety of silence by withholding their words. Unfortunately, the motivation behind this silence may be a form of quiet aggression used to gain control over you by shutting down. They get pleasure out of watching you try to make them talk. However, it should be noted that not all people who are silent are “difficult”. There are some who are naturally timid, others who are quiet because they are processing the information, and still others who have no comments to make at this time.

Coping with the different types of passive people basically follows similar patterns. One should be patient and listen attentively and not try to argue them out of their pessimism. Doing so may cause them to further clam up or to complain louder. And do not try to persuade them to admit that they are wrong or allow yourself to be drawn into negativism. State realistic optimism, stay on topic, giving them ample opportunity to talk. Affirm them by letting them know that

what they have to say is important, while showing them that some alternatives are worth trying. Set a time limit for dealing with each situation. If a stalemate occurs, reschedule another appointment and be ready to go back and try again.

To summarize, when working with challenging people, appraise the situation: Am I the one that is being difficult? Is the difficult person acting out of character? What may have triggered the difficult behaviour? Will pointed, honest communication relieve the situation? Doing some thoughtful investigation before dealing with challenging people will set you on the road to developing positive and productive interaction with them.

Audrey Pihulyk is a “humour-cilator” who speaks at conventions and for organizations on “Winning Strategies for Life”. You can reach her at 1-866-484-2197 or by email at audrey@possibilitiesnetwork.com, website: www.possibilitiesnetwork.com

*Reprinted from
Canadian Manager Vol. 28., No.2*

Your Personal Invitation!



Canadian Condominium Institute
Institut canadien des condominiums

CCI National Awards Dinner

Friday, November 7, 2003 International Plaza Hotel, * Toronto, Ontario

Come and support CCI's recognition of this year's award winners.

Recipients will be recognized in the following categories:

- CCI Fellowships
- Distinguished Service Awards
- Lorne Young Chapter of the Year
- H. Penman Smith Award of Excellence for the Most Outstanding CCI Chapter Newsletter
- Exciting New Award to be Unveiled!

6:30 pm Reception • 7:15 pm Dinner

(*Takes place during the CCI/ACMO Annual Condominium Conference, immediately following the CCI Annual General Meeting.)

Don't Delay – Register Now!

[See order form on back cover]



Communicate, communicate, communicate

How to publish and use a newsletter to keep owners happy

By Milton W. Zwicker,

B.Comm., LL.B., CCI-Huron Chapter Director and Author of *Successful Client Newsletters: The Complete Guide to Creating Powerful Newsletters*

What is the secret to happy and satisfied condominium owners? Satisfied owners are the result of well-planned and focused energies directed toward that end. Angry owners, rumours, disputes with directors and quarreling owners often evolve from poor communication. Anecdotal evidence suggests happy and satisfied owners live in condos where boards work hard to keep owners well informed. A vital factor in the success of many condos is the skill with which their Boards communicate with owners. Effective Boards have as one of their goals keeping in constant touch with the owners, responding to their needs and expectations.

Communicate, Communicate, Communicate

We often think of condominiums as buildings instead of people. Thus, maintaining a successful condo is about relationships between people – and relationships are based on communication. A good newsletter can be an important vehicle for communication.

An important reason for having a newsletter is to inform owners about policies, changes in the condo rules and to get feedback from them. A newsletter that does this fulfills a crucial role in internal communications – but that's only part of what a good newsletter can do. Newsletters help networking within a condo. Owners find out what activities the Board is involved in and what its members are up to.

Newsletters can promote a sense of belonging. By including personal information, such as stories about important events in owners' lives, a newsletter can turn some big condos into a family. Stories about unit owners help them to develop a pride in their corporation and a pride in themselves as its unit owners.

What makes a good newsletter

For some owners, a newsletter may be the only contact they have with the Board and other owners. For some, this may be the only contact they want. All owners are, however, interested in receiving information as opposed to actively participating in activities and meetings. This will come as no surprise for the small percentage of owners who are the organizers, speakers, writers and publishers of the information owners clamor for.

Information equals control

Information is a powerful force. Owners' anxieties often result from uncertainty about condo living, the inability to obtain information about board decisions and the general feeling they have no control over the place they call home. Thus, you carry a heavy burden – your newsletter, for many eyes, is the Board. Therefore, you must strive to make it a publication owners will want to read.

How can you accomplish this feat?

Publishers and editors who want a first-rate newsletter know they must build it using fresh graphics, good photography and interesting and helpful information.

Does your newsletter meet the needs of owners? Want a really quick response from your readers? Include a "feedback" form.

A well-defined purpose

If you want your newsletter to work, first define its purpose. You may think the purpose is obvious to communicate with owners. This purpose is not specific enough. You not only want to inform your owners but you want them to take some action, to do something because of reading your newsletter. You might want your owners to know how the Reserve Fund Study will affect them. They might want to know how changes in condo laws will affect them. Whatever you want to accomplish, spell it out in short statement of your newsletter's purpose.

Practical Content

You must continuously ask yourself what owners need and want to know. Do you need to persuade them or inform them about some matter that will affect them personally such as a special assessment?

Keep in touch with your owners for information that may interest them. Spend time on the telephone asking owners what they think of your newsletter. Thus, make your writing reader-centered not writer-centered.

Readers will only read what they want to read not what you believe they should. The content, in the end, will make or break any newsletter. What is content and why is it important to this discussion on newsletters? Surveys and research

show that newsletter readers read in this order”

1. News
2. Features
3. Calender/events
4. Columns
5. Reprints

What is news?

News means: new information – time dated – relevant to readers – from the readers’ point of view – hard news not soft news. Soft news means gossip.

Lively Writing

Your readers are important, but chances are they don’t want to read technical language. Long sentences, long blocks of type with no sub-headlines to break them up are obstacles to readability. Newsletters have a style of their own. Newsletter style has the following characteristics:

- 1 Limited space means you must jump into the subject immediately. Newsletter readers want brevity, so they want you to get to the core quickly.
2. This is the age of the sound bite. So make your items short and simple. What is simple? The rules are:
 - a) No sentence longer than 20 words.
 - b) No paragraph longer than nine lines.
 - c) No story longer than eight paragraphs.
 - d) Us strong nouns and verbs.
 - e) Use the active voice.
 - f) Use metaphors sparingly. In Pinckert’s Practical Grammar, the author says: “Metaphors must be used to make writing vivid, but used carefully, so that they are neither dead clichés nor far-fetched and strained.”
 - g) Use you. Remember, you are writing a letter to a reader. That’s a singular you and a singular reader.

Good Design

Layout and design are art forms but you can learn the basics. Don’t ignore the appearance of your newsletter. The front page is the first thing a reader will see. The front page must catch your readers’ attention and lure them inside. A good-looking nameplate and logo are essential. Good margins and adequate white space between paragraphs are critical. Long paragraphs make for difficult reading.

Headlines

Headlines are the most read part of newsletters. A headline is the bait to lure readers to continue reading. If you had seven days to write a story do what GOD did – spend six days writing the headline.

How to improve your headlines

1. Use subject + add a verb - actions verbs are best.
2. Put the key words early in the headline.
3. Motivate readers with “you”. Eg., Is coffee giving you heartburn?
4. Avoid modifiers.
5. No rules on length.
6. Watch out for unwanted meanings.
7. Keep a file on headlines you read and like.

A Printing Format

Although content will maintain your readers over the long haul, you cannot ignore how your newsletter will look. Will you print or duplicate your newsletter on a photocopier? Offset printing will produce the most professional-looking job but this is not necessary for most condo newsletter.

Get Owner feedback

Want to keep your newsletter from getting stale? If you do you must know whether your newsletter is doing the job you intend to do. To do this, ask a random sample of your owners. In addition, distribute a questionnaire with your newsletter, at least annually.

Publish Regularly

Set up a schedule and publish regularly. A newsletter published regularly is a better communication tool than one produced sporadically. Since one main function of a condo newsletter is to help owners make judgments about their interests, frequent advice they can rely upon is critical.

Establish a budget

It costs money to produce a newsletter. The cost will depend upon the quality and frequency of your publication. A Board that is not willing to set up a sufficient budget allowance should stay out of the newsletter business. Launching a newsletter needn’t bust your budget. Now, you can purchase inexpensive software with newsletter templates or use the column layout feature of your word processor. You don’t need to incur the expense of printing. You can reproduce copies from one laser-quality master a quick-print shop. It’ll save the wear and tear on your own copier. And 200 copies should run you less than \$25.

Commitment

Get a long-term commitment from those who will staff and write the newsletter. The idea of a condo’s first newsletter usually evokes much initial enthusiasm. The trick is to sustain the enthusiasm. Unless you hire professional help, volunteers must report, research and write the newsletter. This takes time. If you cannot get a commitment from people in your condo to carry out many tasks, why attempt the job in the first place?

Keep it Simple

To avoid being consigned to an unread stack, smart newsletter publishers take on a minimalist tack. They limit their publications to one or two 8.5” x 11” pages. Two or three-lined blurbs are good. No confusing jargon, no long-winded pitches. Just quick, readable bites of advice and information.

*From CCI Condo Forum,
Huron Chapter*

Regina & Area Chapter

Plans have been formulated for our Annual General Meeting and Seminars to be held in Regina on October 18th. Our keynote speaker for the day will be CCI President Deborah Howes. We are looking forward to introducing her to our members and to profiting from her enthusiasm and knowledge. In addition to her opening presentation and the business of the AGM, there will be sessions on changes in legislation, conflict resolution, and a "bear-pit session" with city officials and provincial government representatives about inequities in property taxes for condominium owners.

As part of our continuing drive for new members, past president Ambrose Reschny has been actively inviting various stakeholders to join CCI - professionals with an interest in condominiums (architects, engineers, appraisers, property managers, insur-

ance brokers & underwriters, realtors, accountants, builders and developers). Next, approaches will be made to relevant trades and services companies. Efforts to attract more condo owners will continue.

We are interested to learn of the plan of CCI-National to encourage twinning of various chapters, and that Manitoba may be designated as our "twin." We consider it an excellent choice and look forward to interactions that may be beneficial to us both. Manitoba's efforts over the past year to inform and influence various levels of government to become aware of property tax inequities could serve as a useful model.

*Evelyn Jonescu, Secretary
CCI-Regina & Area*

Newfoundland & Labrador Chapter

Hello Canada!!! We have been enjoying a particularly good summer here in Newfoundland and are hoping that the "dog days of Summer" will extend well into the Fall, to say around mid-November. Well, we can dream anyway!

Our new Board is up and running although at a slower pace over the Summer than we will see through the Fall. Our second Board meeting is upcoming next week and we are planning our first educational seminar for mid-October. The details on this will be finalized when we next meet.

We are also in the early stages of planning our hosting activities for the Semi-Annual National Meeting of the CCI taking place here in the Spring of 2004. The actual dates are May 26-29, 2004 and we are hoping that everyone will consider making the trip and taking in some of our unique culture. We are also planning some special activities and events for anyone who may be interested in staying a little longer beyond the conference dates.

Carol Adams, a member of our local Board, is spearheading this effort and we know that her knowledge and planning skills are going to result in a wonderful experience for all those who are fortunate enough to be able to attend.

Our Legislative Sub-Committee is now preparing for the next phase in its undertaking to revise our current condominium legislation. After breaking for the Summer, everyone is ready to renew their efforts. We know that we are in good hands in this massive undertaking and everyone is patiently awaiting a time when the new legislation will actually be adopted. We continue to receive many queries and comments from CCI members and others who are interested in becoming involved. The legislation, in particular, is very important to everyone and we are happy to be able to report that things are progressing well.

*Mae Butt, Board Member
CCI-Newfoundland and Labrador*

Toronto and Area Chapter

The Toronto Chapter spent the summer planning for a busy fall season and following up on new membership initiatives launched at the June ACMO luncheon.

CCI-T's "Ambassador Program" was officially launched on June 20th at the ACMO luncheon where board members, Janice Pynn, Bob Gardiner, Denise Lash, and Gina Cody presented the details of the Chapter's membership program and outlined the benefits for Managers who participated in the program. Response already has been quite encouraging. The main focus of the luncheon was an "Ask the Experts" panel discussion whereby the four board members offered ideas on a variety of issues brought forth by attendees.

The fall promises to be a busy time for the Chapter. The basic level directors' course is scheduled to

begin on September 24th and will run for six weeks. The first of the fall seminars, planned for September 25th, promises a wealth of knowledge for directors and managers on Energy Efficiency and Retrofits. A panel of experts will be on hand to discuss how condominium corporations can save money through energy retrofits – and more importantly, how to best utilize the government funding programs available to condominiums.

Mark your calendars now for the CCI-Toronto Annual General Meeting scheduled for Thursday November 27th at 7:00 p.m. The meeting will be followed by a Wine and Cheese Reception and the opportunity to mingle with the Board and other CCI-T members.

*Lynn Morrovat
CCI-Toronto Administrator*

Ottawa Chapter

Following the Spring weekend offering of the Directors' Course on April 26th and April 27th, the Ottawa Chapter completed its 2002-2003 year with two seminars. On May 6th, the first of the seminars entitled Reserve Fund Study – Addressing Many Questions of Condominium Board Directors was held. On June 11th the second of the seminars detailed the Responsibilities of Condominium Board Directors under the Occupational Health and Safety Act.

Over the summer the Ottawa Chapter of CCI has been arranging the Fall Breakfast seminar to be held on Saturday, October 25th, at the Southway Inn, 2431 Bank Street, Ottawa.

It is an opportune time to discuss Condominium Insurance and with that in mind, the topic for the Fall Seminar is "Condominium Insurance – Where the Rubber Hits the Road". Those in attendance will hear Marg Crawford, a condominium owner, a condominium board member and claims adjuster with Quelmac speak about the new Condominium Act

and its effect on insurance claims. Marg will also discuss what condominium boards and managers need to think about regarding understanding and managing risk in condominium corporations. Following the presentation, a discussion panel will be assembled to answer questions.

Following breakfast and the Condominium Insurance Seminar the Ottawa Chapter will conduct its Annual General Meeting.

The ever-popular Directors' course will be held on Saturday November 1st and Sunday, November 2nd at the Southway Inn, 2432 Bank Street, Ottawa.

More detailed information on either the Fall Breakfast Seminar or the Directors' Course is posted on our web site at www.cci.ca/Ottawa.

*Fran Graf, RCM, ACCI
President
Ottawa and Area Chapter*

Hurononia Chapter

The Huronia Chapter remains very active in providing information to our members throughout Central and Northern Ontario.

North Bay – A full day seminar was attending by 40 directors in North Bay on the 7th of June.

Kingston. On the 10th of June, a presentation was made by our chapter to the Kingston Condo Association, regarding the value of being a member of CCI . What was planned to be a one hour session turned out to be a three hour discussion on reserve fund issues.

North York – On the 3rd of July, we were invited to attend an AGM here. There was a major financial concern in this corporation. In the past, under the guidance of a small management company, keeping the maintenance fees low, had been the priority concern. Very little consideration was given to the long term, financial welfare of the building. Very quickly, it was recognized that a Special Assessment was necessary to pay the overdue bills and avoid liens being placed against the corporation. Needless to say, the owners were hostile and made a major change in the roster of directors. A closer scrutiny by directors, a more professional management company and much more information to the owners would have avoided the unpleasanties. It will take some time before the confidence of the owners is restored.

Nottawasaga– Near Alliston. On the 11th of June, a complex of more than 20 condo corporations, comprised mostly of single family homes surrounded by a beautiful golf course, invited our CCI Director, Mina Tesseris, P.Eng, to present information on reserve funds, our CCI Director, Milton Zwicker, LLB to speak on the subject of owners making changes to common elements and with Gerrit moderating. There was a tremendous turn out, and questions just would not stop. More corporations became members.

Lagoon City – On the 14th of June, our CCI directors, Larry Readman and Gerrit attended a meeting of the Lagoon City Condo Association to discuss the benefits of membership in CCI. A number of Lagoon City Directors offered complimentary statements on our behalf, as they had attended the Orillia seminar in the spring. We were invited back to chair an AGM on the 19th of July and to provide guidance on elections, term limits, and the preparing of by-laws. Condo Directors expressed their appreciation for our assistance in keeping a lid on the proceedings. Membership in CCI increased again.

*Gerrit Roosenboom
President, CCI-Hurononia*

Windsor Essex County Chapter

Membership is continuing to grow as we embark on the 2003-2004 membership year.

Our Chapter is organizing its efforts in a number of worthwhile projects. Education is at the forefront. In addition to our seminars, our Education Committee is spearheading other types of educational projects including the development of a brochure explaining the condominium concept to potential buyers, newspaper articles and radio phone-in interviews. A local Task Force is also being developed to assist condominiums in obtaining and maintaining its insurance coverage at reasonable premiums. Our local website is also capable of providing link-ups to business members who might

wish to take advantage of this service.

More seminars and newsletters are being planned. Please contact us with topics you would like addressed at upcoming events and in correspondence.

For more information on how you can become a member of the CCI Windsor-Essex County Chapter, please call (519) 978-3237 or visit our web site at www.cci.ca/Windsor

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

Golden Horseshoe Chapter

In June, the Chapter held a very informative evening seminar in Milton on how to conduct various types of meetings; everything from regular board meetings, AGMs as well as the dreaded requisitioned meeting. I would like to thank our guest speakers who along with our board members provided some key insights on what to do and not to do. Along with a lot of logistical information, there was an excellent discussion on how to get owners out to the AGMs. Our plan is to conduct another topical seminar next Spring.

We are currently putting the finishing touches on our Level 200 course being held in Kitchener and Oakville. The course runs on two consecutive Saturdays, October 18 and 25th. Details can be obtained from our web site, www.ghccci.org.

Steve Warner, our web master has been continually updating our web site. We have recently redesigned our Information and Membership Application pamphlet available for download as a PDF file or a hard copy by contacting the chapter. Our contact information is on the web site.

Our Summer 2003 Condo News newsletter/magazine was one of the best yet, with a focus on Reserve Funds and Studies. I would recommend obtaining a copy for anyone still unsure of the process or what to do once you have a study completed. Our Feature Condo in this issue is The Granary in Oakville. It will be included with the

other condominiums that have been featured since our last AGM for the Condo of the Year Award the Chapter presents at our October AGM.

Our AGM is being held on October 9th. This year we are having the event in the Great Hall at the newly restored Paletta Mansion located in the beautifully landscaped Paletta Lakefront Park in Burlington. The estate was built in the late 1920's and consists of 14 acres of lakefront park, an 11,000 square foot mansion, a discovery walk and art and entertainment study centre. All members of the chapter are welcome to enjoy the surroundings as well as to hear about the chapter's year and plans for 2003/2004. Russ Bennett of Investors Group will be giving a presentation on Reserve Fund Investing.

The City of Hamilton is proceeding with its Solid Waste Management Master Plan, with a goal of diverting 65% of waste from landfill by 2008. Over the summer, City staff have been contacting and meeting with managers and superintendents of condominium/apartment buildings. The City has requested a list of buildings to assist them in rolling out the program. Ms. Pat Parker, Acting Manager of Solid Waste Planning can be contacted at (905) 546-2424 extension 3916 or email, pparker@hamilton.ca for more information.

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

Vancouver Chapter

Another summer has come and gone in Vancouver. We were blessed by some of the best summer weather in decades and as a result, our Chapter is just now putting away the sunscreen and sunglasses and preparing for a number of events that are scheduled to take place this fall.

Firstly, we will be finalizing our education course materials in order to hold the first of many courses for our members. Secondly, we will be holding a seminar in October, 2003. The topic will be on insurance and condominiums. The topic is somewhat timely given that a sub-committee of the

National Planning Committee of CCI has been actively looking at the issue. Thirdly, we will also be holding our Annual General Meeting this fall.

We are excited about the future growth of our chapter and optimistic that we will continue to increase in size. We are fortunate to have dedicated board members who help with our Chapter and thank many of the other Chapters for their suggestions and support over the past year.

*Jamie Bleay, President
CCI-Vancouver*

Atlantic Chapter

The Atlantic Chapter is enjoying a quiet summer, despite the swings in weather that have bedeviled the gardeners and farmers in the region. The summer edition of the newsletter was released at the end of July and work has already started on the next edition.

We are very pleased to announce that we recently acquired our first two members from New Brunswick. Work continues in our effort to contact new corporations in the hopes of increasing our membership.

The Chapter has been planning its activities for the upcoming year starting with our AGM in September. As a result of the boom in condominium development in the greater Halifax area, we plan to offer two CM 100 courses and one CM 200 course through the 2003/04 year.

Several of the Board members plan to attend the National Conference in November and we look forward to seeing everyone then.

*Anne Merry, Vice-President
CCI-Atlantic Chapter*

Manitoba Chapter

Manitoba has enjoyed one of the most weather perfect summers ever! Condominium development of both new construction and conversions is strong, including the downtown Exchange District. Many exceptional Exchange District heritage properties are being converted to condominium homes some with residential rental and commercial space.

As we approach the end of another year we recognize the hard work and dedication of our Board of Directors as well as all other chapter Board members and the National Board. It is through the efforts of all these volunteers that CCI continues to grow in importance both to condominium corporations and their individual members. It has also resulted in recognition of CCI provincially and nationally by governments and others that impact the condominium lifestyle.

Our committees are gearing up following the summer and our issues continue to be property taxes, insurance, and improved communication and support for our members.

*Edie Lipson, President
CCI-Manitoba*

North Alberta Chapter

With our Chapter Annual General Meeting fast approaching, we are busy planning for the coming year. The Education Committee has planned a full schedule of Courses as well as several evening seminars. In September we are hosting a Golf Tournament designed to bring together professionals in the condominium industry. As well, we are having a "Membership Appreciation" following our Annual General Meeting.

As my year as President comes to an end, I would like to take the opportunity to thank the members of the Board and other volunteers for their hard work and commitment over the past year. Without dedicated volunteers and active members we would not be able to continue to provide the services and programs required by the condominium community.

*Lise Warick, B.Comm, ACCI
President
North Alberta Chapter*

London & Area Chapter

April 2003 marked my introduction to the London & Area Chapter. Things have been pretty hectic ever since. The topic of the first seminar I attended was “Chemicals and Condominiums”, an interesting topic and very much in the news. Jay Murray of TLC Landscaping, Ole Nielsen of A-1 Pest Control and John White of Winmar Restoration Services, all experts in their respective fields, discussed how and where to use chemicals, the types of products employed, the ministries overseeing their safety and the people qualified to use them. The presentation was very informative and quite entertaining as well. Who said education couldn’t be fun?

The following months were said to be the busiest time of the year and I was. There was the annual membership renewal process, which is ongoing. I applaud the members of London and Area Chapter. They handled their renewals with impressive efficiency. Soon we will meet our 2002/2003 numbers of members and we have welcomed several new corporations and professionals.

We have had some good publicity in the Home Section of the London Free Press in the past two weeks, the most recent by Janis Wallace discussing “corporation rules and the new condominium act dictate how owners can balance their own tastes with the group’s continuity”. Our members Susan Size, Joan Agnew and Don Dickenson gave assistance with information.

Two newsletters have been published and our 2003/2004 series begins with the Fall issue which is almost ready for printing. We are most thankful and appreciative of the writers who share their expertise with us. Also in the works is “The Professional & Trades Directory” for this year, and as a special project, there will be an insert on CCI and the condominium lifestyle in the local London

Free Press sometime in September.

Our first formal meeting of the membership will take place at the Annual General Meeting, Tuesday, September 23, 2003. Chairman Ronald Danks, B.A., LL.B, ACCI, FCCI, of the National Board of Directors will be joining us to share his expertise in the condominium arena.

Connie Grant, Education Chairperson and her Committee have worked tirelessly putting together a very exciting and informational series for the year. Presentations at our Seminars, will include “Ice Damming & Wet Attics” with Jim Bunting of Canam Building Envelope Specialists Inc.; “Conflict Resolution” with Kathryn Munn, LL.B., Cert. Con Res, C. Mediator; and our ever popular “Ask the Expert” with our very own member experts in every field of condominium living.

The format of “The Ultimate Condominium Course” was changed this year and will take place over two Saturdays October 18th and 25th. Our instructors are ready to share their information in various avenues of condominium living (and working).

The Directors’ Club, organized so that directors could meet on a regular basis to discuss common issues, is so far a success. The group meets regularly and is eager to learn how to be effective as board members.

For more information about the London & Area Chapter, and about our course and seminar offerings, please call 519 453-0672 or visit our web site www.cci-sw.on.ca.

*Trish Kaplan, Administrator,
London & Area Chapter*

Condo Cases across Canada



I have been asked, and it is my pleasure, to provide these brief summaries of some of the recent Court Decisions, across Canada, respecting condominium matters. I can't provide summaries of every decision. I have selected a handful that I hope readers will find interesting. I look forward to preparing this regular column for the CCI Review, and I hope you enjoy these legal updates.

By James Davidson, L.L.B.
Nelligan O'Brien Payne

The Hot Topic – Alberta Decision Respecting Reserve Funds

A recent decision of the Alberta Queen's Bench provides excellent direction respecting reserve funds. In my respectful view, the reasoning in the decision was flawless and provides great guidance to condominium directors and managers throughout Canada.

Scotwick Realty Services Inc. v. The Owners: Condominium Plan No. 7510479 (June 11, 2003)

A condominium corporation can properly pay for unexpected repairs out of the reserve fund.

In accordance with Alberta's Condominium Property Act, the Condominium Corporation commissioned a Reserve Fund study and set up a Reserve Fund plan in the year 2000. It then became apparent that certain repairs would be accelerated and would exceed the amounts anticipated in the plan. The board decided to deal with these unexpected expenditures by imposing a special levy and also by depleting the reserve fund below levels contemplated by the plan.

Certain owners argued that the board did not have authority to take these steps. They said that the unexpected expenditures constituted "capital

improvements" and that the reserve fund accordingly could not be used to cover those expenditures without a special resolution of the owners, and only if the fund contained a "surplus", beyond the levels contemplated by the plan.

The court said:

- An unexpected repair expenditure is not a capital improvement;
- "Preparing a reserve fund plan that projects many years into the future is always going to be a bit of a guessing game. The exact timing of the expenditure and the exact quantum of the expenditure will always be an estimate only.";
- "In my view, the condominium corporation can spend the reserve fund on major repairs, even if they were completely unexpected and unanticipated.";
- "Expenditures of this nature from the fund are in the hands of the board.";
- "This will, in many cases, put the fund in a deficit position, particularly when the expenditures are of a magnitude being experienced in this case.";

- "The only conclusion that I can reach is that a board confronted with an unexpected expenditure then has a duty to revisit the reserve fund plan and make any necessary adjustments to the reserve fund levy to accommodate this unexpected expenditure. In some cases, a whole new reserve fund study might be needed. In other cases, the board might simply wait for the 5-year anniversary of the reserve fund study, at which time the act requires a new study in any event." [In Alberta, Reserve Fund Studies must be updated at least every 5 years.] "In other cases, the board could make a special levy, as was done in this case. The board is also at liberty to fund such expenditures from its general operating account. The board could also increase the reserve fund levy so that the reserve fund will be back on track. In most cases, the board will probably use a combination of these techniques."
- The requirements of the condominium corporation to obtain a reserve fund study every 5 years is a minimum requirement only. The board may choose to arrange a new study before

the 5 years have passed. “Therefore, I conclude that the 5-year time limit is merely an outside deadline. It does not relieve the condominium board of the responsibility of reviewing the reserve fund within the 5-year period.” Depending upon the circumstances, the board may well choose to arrange for an earlier reserve fund study.

Editorial Comment:

I found it gratifying to read this decision. I find Justice Slatter’s reasoning to be absolutely sound. It is good to see that our courts can form this level of understanding even after a relatively brief exposure to condominium law.

Cases From Ontario

Waterloo North Condominium Corp. No. 186 v. Weidner (June 3, 2003)

Pet prohibition in declaration enforced

The declaration of this apartment condominium prohibited pets. This was brought to the owner’s attention at the time the owner purchased a unit in the condominium. The owner had a greyhound dog, and wished to keep it in the condominium.

The owner’s family physician said that the owner was suffering from stress-induced depression and that having to give up the dog would add to her stress and would adversely affect her mental health.

The court ordered that the dog be removed. The court said that the condominium by-laws and rules must be reasonable in order to be enforced. However, a provision in a declaration is presumed to be valid and need not be shown to be reasonable.

The court said that this would not result in a violation of the Human Rights Code, in this case. The court said that there is no breach of the Human Rights Code unless the removal of the pet would effectively prohibit the owner from living in the condominium. In other words, the owner would have to

show that the owner was dependent upon the dog and therefore needed the dog to be able to live in the unit. The court said that there was no such evidence in this case.

Finally, the court found that the condominium corporation had not “slept on its rights” and accordingly was not guilty of undue delay in the enforcement of the provisions of the declaration.

Editorial Comment:

This last issue – delay on the part of the condominium corporation – is a common defence raised by owners. Condominium corporations must be very careful to move with haste in the enforcement of their governing documents.

Webb v. Metropolitan Toronto Condominium Corp. No. 979 (June 4, 2003)

Change of Television Service

The condominium corporation entered into a new contract with Bell Express Vu for provision of television services to the building. The previous contract with Rogers Cable was terminated.

Before entering into the Bell Express Vu contract, the condominium corporation provided notice to all owners in accordance with section 97(3) of the Condominium Act and an owners’ meeting was held to discuss the matter.

Certain owners applied for an order to prevent the move from Rogers Cable to Bell Express Vu. They argued that the corporation had not followed the required procedures in sections 21, 22, 97 (3) or (4) of Ontario’s Condominium Act.

The applicants sought an interlocutory injunction to stop the “switch”, pending a hearing of the application.

The court agreed that there were serious issues to be determined, but refused to grant the interlocutory injunction. The court did not see any risk of “irreparable harm” to the applicants because of the switch and also

concluded that the balance of convenience favoured the condominium corporation. The court therefore decided that no injunction should be ordered before the full hearing of the application.

York Condominium Corp. No. 482 v. Christiansen (April 3, 2003)

Leave to appeal refused

Leave to appeal in this matter was refused. (see decision in issue no. 2 – May 2003 – of Condo Cases Across Canada) The Divisional court said: “I am not satisfied that there is good reason to doubt the correctness of the decision.”

The court also said that the required degree of public importance (for an appeal) was not present.

Cases From British Columbia

Strata Plan LMS 888 v. Coquitlam (City) (June 17, 2003)

Required Procedures before Lawsuit

British Columbia’s Strata Property Act requires that certain procedures be followed before the strata corporation may commence a lawsuit. The procedures can be found in sections 171 and 172 of the Strata Property Act:

- The lawsuit must be authorized by a resolution passed by a three-quarter vote at an annual or special general meeting;
- Where the Strata Corporation wishes to sue on behalf of one or more owners about matters affecting only their Strata lots, the corporation must also obtain the written consent of those owners.

If these requirements are not fulfilled, as in this case, the lawsuit is a nullity.

Press Release

The Canadian Condominium Institute Announces Formation of Task Force to Review Implication of Changing Insurance Rates on the Condominium Industry

The Canadian Condominium Institute (CCI) announced today the formation of a task force to review the implication of the changing insurance rates and policies on the condominium industry. Deborah Howes, President of CCI, made the announcement this morning emphasizing that condominium corporations across Canada have witnessed unprecedented changes to the insurance policies. "We have growing concern the impacts of increasing rates, higher deductibles and reducing coverage is having on the millions of Canadians living in condominiums from Victoria to St. John's".

In an effort to establish the magnitude of the impact, CCI has embarked upon a review within the condominium industry on the impact to its constituency as well as researching ways and means to work together with the insurance industry to "better" the situation. Its findings are expected to be made public late in 2003.

The Canadian Condominium Institute is a national organization representing the many varied interests of the condominium industry in Canada. There are an estimated 2.3 million condominium units in Canada recognized as one of the fastest growing segments of the housing market.

For information please contact:

Deborah Howes
President
Canadian Condominium Institute
High Clouds Inc.
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Edmonton, AB T6P 1L8

Chetan Thakore
National Board Member
Canadian Condominium Institute
#10-2220 Northridge Drive
Saskatoon, SK S7L 6X8

"The Voice of Condominium"

July 21, 2003

CCI Regina Chapter Successful in their Lobbying for PST Exemptions

Dear Mr. Heathcote:

I am very pleased to inform you that the Government of Saskatchewan has responded favourably to your request for a Provincial Sales Tax exemption on the electricity used in the common areas of a condominium complex. This tax exemption will ensure that condominium owners are entitled to the same tax treatment that other homeowners receive with respect to residential electricity.

This exemption will apply to electrical billings dated after August 1, 2003.

My officials will be contacting you in the near future to provide you with the administrative details of this new tax exemption. If you have any questions in the meantime, please contact Greg Packman of the Provincial Sales Tax Branch at 787-0508.

I would like to thank you and the members of your association for the co-operation and assistance provided in helping us to establish this Provincial Sales Tax exemption.

Sincerely yours,

Jim Melenchuk
Minister of Finance
Government of Saskatchewan

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7th Annual Condominium Conference



Don't miss out... Register today!

Friday, November 7, 2003

7:00 a.m.	Registration Opens		
9:00 a.m.	Welcome, Opening Remarks		
9:10 a.m.	I Can Do That! Suzie Humphreys		
10:30 a.m.	COFFEE BREAK		
10:45 a.m.	1A - Preventative Maintenance	1B - Beware: Toxic Mould- your worst nightmare!	1C - Telecommunications and Satellite Dishes
12:00 p.m.	LUNCH WITH EXHIBITORS		Expo Opens
1:30 p.m.	2A - Risky Business	2B - Reserve Fund Studies	2C - Show Me the Money... Budgeting and Investing
2:45 p.m.	COFFEE WITH EXHIBITORS		
3:15 p.m.	3A - Crimes in Condos	3B - Community Planning	3C - Energy Efficiency
4:30 p.m.	WINE & CHEESE WITH EXHIBITORS		
5:00 p.m.	CCI National AGM		
6:15 p.m.	CCI National Awards Dinner		

Saturday, November 8, 2003

7:00 a.m.	Registration Opens			Expo Opens
8:30 a.m.	BREAKFAST WITH EXHIBITORS			
9:30 a.m.	Plenary Session National Case Law Up-dates			Expo Closes
10:30 a.m.	COFFEE WITH EXHIBITORS			
11:00 a.m.	4A - Requisitioned Meetings	4B - Time and Stress Management	4C - Buying & Selling Condominiums	
11:45 a.m.	5A - Construction Contracts and Deficiencies	5B - In Pursuit of the Perfect Relationship - Creating Long Term Relationships between the Board and Management that really works.	5C - Waste Management & Recycling	
12:30 p.m.	LUNCHEON WITH EXHIBITORS			
2:00 p.m.	Plenary & Closing			
3:30 p.m.	- Condo 101			

Come and be a part of this great program!

Please register me for the CCI/ACMO Conference "Building Better Communities" - November 7 & 8, 2003 at the International Plaza Hotel, 655 Dixon Road, Toronto, Ontario

Name _____

Mailing Address _____

City _____ Prov _____ Postal Code _____

Phone _____ Fax _____

E-mail _____

Which Concurrent Sessions would you like to attend?

1A 1B 1C

2A 2B 2C

3A 3B 3C

4A 4B 4C

5A 5B 5C

CONFERENCE FEES:

Before October 3rd

Members - Early Bird \$150.00 \$ _____

Non-Members - Early Bird \$250.00 \$ _____

After October 3rd

Members - Early Bird \$225.00 \$ _____

Non-Members - Early Bird \$325.00 \$ _____

On Site Registration Fee

Members - Early Bird \$250.00 \$ _____

Non-Members - Early Bird \$375.00 \$ _____

Plus 7% GST \$ _____

National Awards Dinner: _____ @ \$70.00 ea. \$ _____

TOTAL \$ _____

METHOD OF PAYMENT:

Cheque enclosed (made payable to CCI/ACMO in Canadian Funds)

Card #

Expiry Date /

Name on Card _____

Signature _____

Return to: **CCI/ACMO**, 2175 Sheppard Ave. E., Suite 310
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Tel: (416) 491-6216 Fax: (416) 491-1670
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