



Andrew Fulcher

## Message from the President

By the time you read this, the Spring Leaders' Forum of the CCI in Vancouver will have ended. Those of us fortunate enough to attend the sold-out event will be back in Alberta. Back to work. The Spring CCI meeting is held alternating between East and West. Last year in Windsor, Ontario (I know it's not really East) and this year in Vancouver. It is a chance to get together with those other individuals from across the country (mostly unpaid volunteers) who run chapters, put on seminars, speak on condo matters, teach, advocate and make their living through the condominium industry.

*The forum is a place to share stories, experiences, victories and defeats.*

Although I have been attending events like these for four years now, I am blown away by just how much I can learn from my peers and by their steadfast commitment to the world of condominiums. If, as the old proverb goes, a problem shared is a problem halved, then by sharing we cut our work and worries in half. The forum is a place to share stories, experiences, victories

and defeats. When you are face to face with a senior property manager of 40 years standing, you can short cut a lot of heartache by listening and asking 'how to'-type questions. Likewise, when you are opposite a well-respected lawyer who has changed legislation in his province to bring in smoke-free buildings, you pay attention. Hopefully, we come back with more knowledge than we left with and

*(continued on page 3) →*

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CCI South Alberta Chapter

- To keep updated on chapter events;
- To receive updates on industry news and condominium related issues;
- To network with other CCI South Alberta members;
- To sign up for future CCI events.

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CCI's members work together toward one common goal — creating a successful, viable condominium community. CCI's mission is to educate, develop standards, offer referral resources and improve legislation.

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## message from the president

(continuation)

we share our own experiences with other delegates. It's a win-win. Oh yes, and CCI South Alberta threw its hat in the ring to host this national event in 2018 now that's exciting!

We recently ran the Condo 101 course to great acclaim in both Lethbridge and Medicine Hat. This marks the first time that CCI Southern Alberta has ventured out of Calgary to deliver educational seminars. One major part of our remit at the CCI is to educate condo owners. The two out of town courses were very well-attended and the audiences were full of well thought-out questions. Stephen Cassidy and I made the long drive and shared the teaching duties equally. We were welcomed in both towns with open arms and left with the promise that we will continue to bring CCI's courses and seminars to Southern Alberta. One thought does spring to my mind: there really is a great need for education of condo

Directors. Ontario is in the process of making this mandatory. New legislation coming out this fall in Ontario will make all directors go through a course. Although there is no plan to bring this idea to Alberta at the present time, educated condo directors will do a better job of directing the operations of the condo than uneducated ones. This does beg the question: what does the Ontario government consider condo directors need to know, and furthermore, who should provide that education? Will the course be free? Let's see how this pans out.

As summer is coming on, please remember to renew your membership with us and consider submitting an application for the condo of the year and our new volunteer of the year award. Applications need to be in by end August and renewals are due in July. Wishing you a great summer. See you all in the Fall.

Andrew Fulcher

CCI South Alberta Chapter, President





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# Condo safety

New to a condo? Here are some safety tips to keep in mind

By Maria Bartolotti

**Q:** Dear Maria; I'm new to my condo and first time I'm living away from my family. What do I need to keep in mind for safety and security in my new surroundings?

**A:** Security is an essential component of creating and maintaining a safe environment for you, residents and visitors of your condominium community.

Multi-residential properties are exposed to all the normal security and safety risks, crime, public disorder and emergencies that a single family home would be.

Keeping your building safe must start with YOU first. It's important to ensure that you as an Owner are taking the proper measures when it comes to security and safety. Here are some helpful tips that can help you as an Owner and a Condo Board.

Secure all access points (All doors, windows, and parking structures) when leaving and entering your home or the building. As hard as it is to say, in the interest of security in a condo, don't hold the door open for strangers. We all want to be good Samaritans, but letting a stranger into your condominium can be an invite to a possible threat in your condominium community. You can be a good Samaritan somewhere else safe, like a Tim Hortons and pay for a stranger's coffee.

Identify non-residents and escort

them off of the grounds if they are not welcome, but only if you are comfortable in doing so. If you feel threatened do not approach them. Call the police to alert them of any suspicious activity is your best option.

Enforce all property rules set fourth by the Board and management company.

Inform your condo manager of problem areas around the building, including graffiti and common doors that do not close properly. If your Condo uses key fobs or security cards to access the building, ensure you review these on a regular basis and remove any that are not required.

Get to know your neighbours, you do not need to be best friends with the neighbour next door or the individuals in your condominium community, but knowing who they are can make a difference in keeping you and others safe.

Do not be afraid the call the police. If you see a suspicious activity around the building report it to the authorities and be sure to include as much information as possible.

Remove realtor lockboxes and all lockboxes from the vestibules and those hanging outside your building. These have become an easy way for criminals to break into a building. I know our



office New Concept Management Inc. is looking into the 'lobby-box' program being offered by CREB for the Condominiums we manage. This program factors in safety, ease of access and esthetics. This new approach places a central lockbox in a mutually agreeable safe and discreet place. This central lockbox comes with a housing unit and provides secure access to the building. A second lockbox is placed on the unit itself to provide access only to the unit being shown. To learn more about the program contact john.nguyen@creb.ca.

The saying is true — a safe condominium community is a happy condominium community. Be diligent and take an active approach when it comes to your safety and those around you. Until next time...

cci

■ Reprinted from Condo Living Magazine

**Keeping your building safe must start with YOU first. It's important to ensure that you as an Owner are taking the proper measures when it comes to security and safety.**

# Attend this year's ACR Conference

The Alberta Condominium & Real Estate (ACR) Conference is back September 16 and 17 at WinSport. This year we're going to have 30 educational sessions, more than 50 trade show booths, 3 panel sessions and more! We're happy to announce speakers from Calgary Next, the ladies and gentlemen behind the next home of the Calgary Flames and more; the Calgary Municipal Land Corporation, designers of the East Village; Ward 8 Councillor Evan Woolley; the Real Estate Council of Alberta; lawyers, engineers, insurers, members of the City of Calgary and so many more. This packed two-day conference gives you education, experience and an open network of solutions.

**So why would I want to attend? That is an impressive list of people, but what do they mean to me?**

Attending the ACR Conference lets you

explore a lot of topics that are facing condos. How do reserve funds work? What insurance is necessary and what is appropriate? What about the new maintenance bylaw? How do we build a better community? Can we just kick out hoarders? What's happening with Bill 9? There are so many questions that affect every condominium resident today. The ACR Conference is your opportunity to get answers.

**Come home armed with solutions for better community living.**


If you buy before June 1 tickets are on sale for \$179 for the full conference or \$129 for either Friday or Saturday. This includes meals, admission to the trade show and all our educational sessions. You can get your tickets online at [www.acrconference.org](http://www.acrconference.org)

**But wait! There's more!**

Team up with other conference attend-

ees and save! If you register 6 people in a team, the conference will give you one registration back IN CASH! Invite colleagues, friends and other board members to the conference. Have them sign up using your team name and get into the conference for free!

Are you looking to take part in the trade show? Booths are also on early bird special until June 1. Booths are on sale in the main hall for \$1,500.

The ACR Conference is a joint event between the Association of Condominium Managers of Alberta, the Canadian Condominium Institute South Alberta Chapter and the Real Estate Institute of Canada Calgary Chapter. This is the fourth year of the ACR Conference. The ACR Conference was founded on the principles of educating the condominium community and providing a place where members of all three associations could gather with common purpose. 

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**#ACR16**

# Year at a Glance

## Luncheons

Coast Plaza Hotel & Conference Centre – 1316 33rd Street NE

May 26, 2016

June 23, 2016

## Events

June 29, 2016

17th Annual Golf Tournament  
Elbow Springs Golf Course

September 16 & 17, 2016 3rd Annual Conference and Trade Show

For all available **EVENT REGISTRATIONS** visit [www.eventbrite.ca/o/cci-south-alberta-chapter-8097891200](http://www.eventbrite.ca/o/cci-south-alberta-chapter-8097891200)

For more information on **CHAPTER EVENTS** please visit [www.ccisouthalberta.com](http://www.ccisouthalberta.com) or follow us [!\[\]\(dd161862f9164df98f62b726e9846241\_img.jpg\)](#) [!\[\]\(370afeb5bfccb68f3befb985d1441328\_img.jpg\)](#) [!\[\]\(6340c394492dbd3cab54302d7d1184ac\_img.jpg\)](#)

Registration notices are emailed to members three to four weeks in advance.

CCI is always **LOOKING FOR VOLUNTEERS** to speak at our luncheons. If you are interested, contact Melanie at 403.253.9082 or [administrator@ccisouthalberta.com](mailto:administrator@ccisouthalberta.com)



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## Message from the President

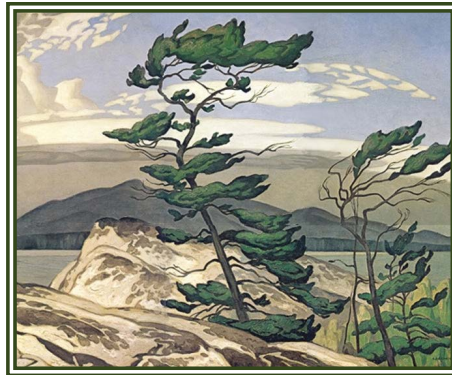
BY BILL THOMPSON, BA, RCM, ACCI, FCCI  
CCI NATIONAL PRESIDENT

### Change Is a Constant

If you are a tree, you are always fighting the forces of Nature. Mother Nature sends wind and rain, drought and pests at you, in wave after wave. Yet trees are still here? Why? Because they change! They adapt. They resist. They flex.

Everyone must be familiar with the famous picture of the Eastern White Pine on the island as painted by one of the Group of Seven artists, AJ Casson, entitled "The White Pine". The eastern white pine resists the forces of the wind by shedding all of its branches which face the prevailing wind (east) to become more aerodynamic. I don't think they do it on purpose, but their shedding of the least aerodynamic of their branches allows them to grow to wondrous heights and leave a very unique silhouette. That very defiant silhouette was the inspiration for the famous Canadian painting. This massive coniferous tree can survive in the most hostile of Canadian environments.

Coniferous trees keep their needles all year round, unlike deciduous trees which shed their leaves in winter. The specialized leaves of the coniferous trees are in the shape of needles. This shape helps to reduce the effect of wind on an individual leaf, and stop the leaf from drying out in the winter. It also helps to shade the soil to drown out competition, keep the soil from overheating in summer, and keep needed moisture from evaporating. Lastly, the



coniferous is very acidic and as it sheds dead needles, it changes the soil conditions so that it is only well suited to other coniferous trees, thereby choosing its competition! That is why you tend to see whole patches of coniferous trees growing together even to the point of having whole forests that are completely coniferous! By growing in such large groups, they "share" the wind and thereby reduce its negative effects.

Huge willow trees survive the effects of wind by exactly the opposite strategy. Instead of resisting the wind, they simply flex with it. The leaves are shaped long and thin to create a windproof profile, similar to the coniferous. The wind will whistle through the waving, hanging branches and have very little effect on the great willow. It grows proudly and boldly in the windiest places, beside bodies of water and thrives there. Its deep roots keep it soundly anchored, and grow to find the water that is so needed

to keep the flexible branches fed with water and nutrients. We can learn a lot from trees. They have survived and thrived by changing to meet their environment, or even by changing that environment itself.

The Canadian Condominium Institute is like that too. We are in a constant state of change. A state of resistance, yet a state of flex. Each of our environments across Canada are uniquely different, and require us to adapt specialized means to thrive there. The needs of the condominium industry in one chapter are unique from those of any other chapter, yet we have all of the same basic needs. The strength of our organization is the people who help us adapt to the unique environments, which they are so familiar with in their chapters. We owe a great debt of gratitude for all of the Chapter Presidents who lead their Boards, and their members, to enable their chapters to adapt and thrive, to resist and flex. So please let your Chapter Presidents know how much you appreciate their leadership, their guidance, their patience and their time in making your chapter adapt and thrive as it does today! Our sincerest appreciation goes out to all of them.

Bill Thompson ACCI  
National President

# Condo Cases Across Canada

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



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

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

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

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

## THE HOT TOPIC – Costs in the condominium setting – have things changed?

In the past, the Courts in most Canadian jurisdictions have said: As a general principle (except in special circumstances), a non-compliant owner should pay ALL of the condominium corporation's reasonable costs incurred as a result of the owner's violation (or as a result of a violation by any occupants or guests of the owner's unit).

The idea is to protect the other "innocent owners" from those costs.

However, we've seen over the past few years that more and more courts seem to be resistant to this principle. As a result, the courts are finding ways to reduce cost awards to condominium corporations, even when an owner is clearly in violation. For example,

- Courts are sometimes saying that legal costs incurred by condominium corporations are "unreasonably high" and therefore can't be awarded in full.
- Courts are sometimes saying that costs should be reduced because they are not "proportional" to the size of the dispute.
- Courts are sometimes saying that the enforcement actions of condominium corporations have been oppressive or unfair – thus reducing cost entitlements.

My sense is as follows. The courts are not entirely comfortable with the basic idea that a condominium owner should be responsible for all of the

costs incurred by the condominium corporation in the wake of non-compliance by the owner or the owner's tenants or guests. Therefore, the courts are essentially saying that they want to be certain that the long-standing principle noted above is not "abused" in any way by condominium corporations or their legal counsel. To me, the messages for condominium corporations are as follows:

- I. Always be as fair and as open as possible with non-compliant owners and their tenants.
- II. Subject to privacy, share information as fully as possible.
- III. Don't get personal, even when the owner or the tenant gets personal. Stay fair-minded and respectful (but without compromising your duty to firmly enforce the governing documents).
- IV. Give fair and open consideration to the complaints and arguments of the non-compliant owner or tenant. Wherever possible, try to give them the "benefit of the doubt".
- V. Keep costs as low as reasonably possible. [Note that this can be a tricky balance to strike, because courts have also expressed the principle that applicants must give the court all of the relevant evidence – the complete and thorough story. In my view, applicants have to be careful not to "cut corners" in presenting evidence to a court. But the courts seem to be saying that they don't want condominium corporations to "go overboard" with costly court processes. In short, condominium corporations (and their legal counsel) need to look for ways to achieve savings in the process.]
- VI. Be ready to meet with the owner and/or tenant, and be ready to compromise (as reasonably appropriate), including on the question of costs.
- VII. Avoid imposing administration fees, unless those fees are fairly and reasonably tied to actual costs. [Note that this principle is being enshrined in the pending amendments to *Ontario's Condominium Act*.]

In this issue of Condo Cases Across Canada, you will see these principles expressed in a number of the summarized decisions. However, I think that these ideas are nicely captured by the very first paragraph in one of those decisions. It is the case of *Couture v. TSCC* No. 2187 and the first paragraph of the decision reads as follows:

*In condominium living, the needs of the many outweigh the needs of the few. However, the power of the collective is not absolute. Power must be exercised within the bounds of the condominium's established jurisdiction and with due respect to the legal rights and reasonable expectations of the few or the one.*

*continued...*

## Condo Cases Across Canada Cont'd.

### B.C. Case – Kuta-Dankwa v. The Strata Council/Corporation, Strata Plan VR 365 (B.C. Supreme Court) May 4, 2015

#### Strata corporation acted reasonably in attending to common element repairs

The Plaintiff owner had sued the strata corporation for alleged damages (including lost rent) due to common element defects. The Small Claims Court held that the strata corporation had “acted reasonably in connection with the ceiling repair and patio door replacement” and dismissed the owner’s claims.

The owner appealed. The appeal was dismissed.

### Alberta Case – Condominium Plan No. 8222909 (Water’s Edge) v. Belas (Alberta Court of Queen’s Bench) November 26, 2015

#### Condominium corporation granted judgement for arrears, but foreclosure temporarily stayed

The Water’s Edge condominium complex comprises a high-rise tower and 10 townhouse units. There were problems with the tower’s exterior siding, which necessitated escalating special assessments.

The townhouse owners had refused to pay their special assessments and had asserted a counterclaim, alleging improper conduct against the condominium corporation. Among other things, the counterclaim sought an order to sever the townhouse units from the condominium.

The Court held that the condominium corporation was entitled to payment of the special assessments by the townhouse owners, and was entitled to a caveat against those units which could be enforced in the same manner as a mortgage. However, the Court also made the following order:

The foreclosure action is stayed and the redemption period is set at 8 months from the date of the Redemption Order, or 30 days from resolution of the counter claim, whichever occurs first.

### Manitoba Case – 5182353 Manitoba Ltd. v. BNB Real Estates Co. Ltd. (Manitoba Court of Appeal) November 18, 2015

#### Court dispenses with requirement for party’s consent to registration of condominium declaration

5182353 Manitoba Ltd. (“518”) owned land which it wished to convert to condominium. BNB Real Estates Co. Ltd. owned adjacent property and enjoyed certain rights over 518’s property. 518 required BNB’s consent to the condominium conversion. BNB refused to consent. 518 obtained an order pursuant to section

5(8) of the Condominium Act dispensing with the requirement for BNB’s consent. BNB appealed. The appeal was dismissed.

### Ontario Case – Ram v. Talon International Inc. (Ontario Superior Court) September 18, 2015

#### Forty percent increase in declarant’s budgeted common expenses may constitute a material change entitling purchaser to cancel transaction

The plaintiff had agreed to purchase a unit in a hotel condominium which was being developed by the defendant.

Between the date of the purchase agreement and closing of the transaction, the purchaser learned that the declarant’s budgeted common expenses (for the condominium) had increased by 40%. The transaction failed to close, and the question was whether or not the purchaser was entitled to repayment of the purchase deposits. The Court held that the purchaser was entitled to repayment of the deposits. The failure to close the transaction was not the result of any failure on the part of the purchaser. The Court also held that the increase in common expenses may have constituted a substantial change to the disclosure statement, and yet the defendant had not triggered the limitation period in Section 74(5) of the Condominium Act (namely a time limitation within which the purchaser could seek to cancel the purchase agreement), because the defendant had never provided notice of the change to the purchaser. In short, the limitation period had not been brought into application in this case. 🍁



#### CCI would like to congratulate those who have recently obtained their ACCI!

**Kim DeVries** (London)  
Accounting

**Stephanie Sutherland** (Golden Horseshoe)  
Legal

**Stacy Wentzell** (Nova Scotia)  
Real Estate

The ACCI is Canada’s first, and only, multi-disciplinary designation for professionals in condominium. Backed by CCI’s reputation, ACCIs demonstrate their competence to current and potential Members and to others in their professions. Holding an ACCI In your profession marks you as a leader and helps you stand out.



## CHAPTER CHATTER



**Vancouver Chapter** — 2015 was a very successful year for CCI Vancouver and concluded with a sold out seminar on November 12, 2015 on the topic of smoking with Veronica Franco of Clark, Wilson as our guest speaker. That was our seventh and final educational seminar of the year. Over the course of 2015 our seven educational seminars attracted over 400 attendees. We hope that the 2016 educational seminar calendar attracts even more attendees. We got off to a good start with our first seminar of the year that was held on January 21, 2016 to a sold out crowd. Sean Ingraham and Jamie Bleay spoke on the roles and responsibilities of strata corporations and strata councils and finished the evening by showing a short clip of what we understand is a new reality television show called “Condo cops”. If you want a good chuckle at some of the antics and stories that form the basis of this show you can see several short clips on you tube.

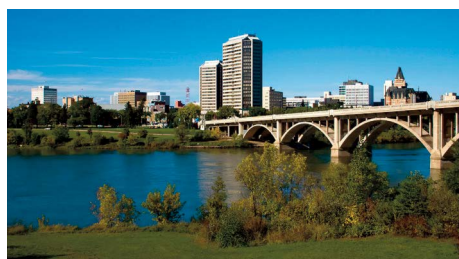
On February 20, 2016 we held an educational seminar to a full house on the topic of finances and financial management for strata councils. Lisa Frey, a lawyer with Gowlings and Terence Wong, a CPA with Dong Russell & Company, entertained the crowd on a topic that can often be dry and unattractive. However the topic elicited a lot of discussion and Q & A, especially around the topic of navigating the process for securing a loan for strata corporations.

The CCI Vancouver education committee continues to work diligently to identify topics and speakers for our educational seminars. There will be at least five more educational seminars over the course of the next 9 months, including what we anticipate will be a sold out event on May 28th as our opportunity to host the Spring 2016 CCI Leaders Forum and Conference in Vancouver wraps up.

We are very excited to host the 2016 CCI Spring Conference and have some wonderful social events planned for those who come to Vancouver. Space for those social events will be limited so if you want to attend one or more of these events make sure you register early!

See you in Vancouver in a few months!

*Jamie Bleay, President  
CCI Vancouver Chapter*



### North Saskatchewan Chapter —

Spring has sprung! At least that is what we keep telling ourselves even though we are continuing to experience snow and wondering when we will see the warmer weather. Even with snow on the ground it only takes one warm day and we see Saskatoonians out in shorts and sandals — how crazy are our prairie people?

In October 2015 our chapter had our Annual General Meeting — just in time to replenish our Board of Directors. We were unfortunate in losing our Secretary, Newsletter Editor and President this past year. With four new members joining our ranks we are hopeful that we can re-build and move forward with continuing education seminars for our membership and get back to at least 3 newsletters annually.

In November 2015, we held a lengthy evening seminar on the subject of Reserve Fund Studies. Our expert panel was represented by an appraisal company, accounting firm, maintenance company, elevator consulting and legal counsel. All aspects of legislative requirements, process and understanding of reserve fund study components, accounting practices for funding and preventative

maintenance to extend life of components were discussed. There were 104 attendees and a lively discussion was held.

Although we have struggled this year with Board Member participation, we have been very successful with our “Director/President’s Club” meetings which we hold a minimum of 4 times annually at various condominiums throughout Saskatoon. It gives our membership an opportunity to show off their homes to other chapter members as well as growing their education. The invitations are for a limited number of Condo Board representatives and subject matter is determined by majority of attendees to previous meetings on matters current to them. Recent speakers and round table discussions have been on Legislative changes to audit and year-end financial reporting; insurance claims; owner vs. corporation responsibilities and Bylaw revisions. We are fortunate in the participation of hosting condominiums which results in little to no cost to NS-CCI and a broad spectrum of subject matter and involvement of the condominium community improving education and co-operation.

We are currently preparing for a Provincial election and on March 19th, 2016 we held a Town Hall meeting for two of the Provincial candidates, David Forbes representing NDP and Don Morgan representing Sask. Party. The questions and discussion on The Act and concerns of condominium owners were well received. We are hoping to conduct another meeting in September for the upcoming City of Saskatoon municipal election in October, 2016.

We are excited to have board members attending the May 2016 Vancouver Leader’s Forum and hopefully grow our education and newsletter production over the next year with exciting results to be reported in 2016!

*Donna Singbeil, President  
CCI North Saskatchewan Chapter*

*continued...*

## Chapter Chatter Cont'd.



### Windsor-Essex County Chapter – Greetings from the Banana Belt of Canada!

We have had a busy winter thus far, golfing into December, first ever Strategic Planning Session (Pizza Party), Elected a New Board and Published a Wickedly Awesome Newsletter, a copy can be viewed on our website. Oh and we have revamped our website. Check it out and let us know if you like it! <http://cci-windsor.ca/about-us/what-is-cci>

We have welcomed several new members to our board, and Bill Norris has stepped down to become Past President and National Representative for the chapter. If any of you know Bill, you have to know he could not fully retire. I would like to take this time to thank Bill for his contribution and leadership over the last four years.

I (Troy Humber) have assumed the President's Role, after 10 years of being an active board member. Now I truly know why Bill was always so busy! We held an evening seminar this week which focused on the changes to the Ontario Fire Code thanks to Trisha Ashworth of FCS (a CCI Huronia Chapter Member) and Large Project Engineering presented by Dustin Ducharme of WSP. The presentation was well attended by our condominium members and guests, a local cooperative housing coordinator and many industry professionals.

We currently have another evening educational seminar scheduled for Wednesday April 13th, 2016 which will focus on several Insurance Related topics.

We are looking forward to an exciting year here at the Windsor-Essex County Chapter.

*Troy Humber, B.Tech., President  
CCI Windsor-Essex County Chapter*



**Eastern Ontario Chapter** – As the snow starts to melt away and CCI Eastern Ontario moves into its year-end quarter, we have much to celebrate and reflect upon. A significant accomplishment was broadening our geographic area to include Brockville, Kingston, Belleville and surrounding areas and our new name change from CCI Ottawa Chapter to CCI Eastern Ontario Chapter.

We were named "Chapter of the Year" by CCI National in the fall and we celebrated the induction of John Peart into the National CCI Hall of Fame. Our new Board of Directors was elected in the fall and some new faces and fresh ideas have appeared from the real estate industry and engineering firms. These new additions have brought new visions and broaden our ideas moving forward.

CCI-EO started 2016 by reaching out to all its members by offering free educational seminars. January brought the first of many free seminars: Lawyers, Guns and Money, which was extremely popular. Mother Nature was not on our side in February during one of Ottawa's worst snow storms and due to weather we were forced to cancel our Tarion evening. The end of March will offer another free seminar on Insurance: Covering your Assets. April will host a new Lunch and Learn seminar directed specifically for self-managed condo boards.

Spring is always beautiful in the Capital with tulips, and this year it will be busy with our popular Spring Directors Course. Our joint ACMO/CCI-EO Conference will be at the end of May and it has already shown huge popularity and the day's events are filling up will registrants and exhibitors.

The entire board of CCI Eastern Ontario would like to thank all of its speakers and experts for helping contribute to informative and educational events. Thank you to all of our members! Please check us out and follow us on social media, twitter at @CCIEastontario or LinkedIn at CCI Eastern Ontario.

*Julie Klotz, Administrator  
CCI Eastern Ontario Chapter*



**New Brunswick Chapter** – Spring was welcomed this year by a coupling of Mother Nature and Old Man Winter producing a snowstorm just when we were watching the runners on our beautiful trails.

Since our last Chapter Chatter, we have several new additions to our Board.

Phil Williams - President  
Matt DeWitt - Vice President  
Judy Orr - Treasurer  
Beth McDermott - Secretary and Administrator  
Susan Holland - Membership Chair  
Directors: Cindy Cormier, Kate Mammen, Leo-Guy LeBlanc, Jane Mitton-MacLean, Sharon Sloat and Gary MacDonald

CCI New Brunswick is pleased to welcome Beth McDermott as our Administrator. Beth has been involved in CCI NB since the very first meeting and was a member of the original Steering Committee. Beth brings knowledge of the condo world being a condo owner and newsletter writer for her condo and has attended many of our seminars.

Our VP Matthew DeWitt is on the National Constitution Committee working with lawyers from across the Country. The anti-spam form was driven by this committee.

Our Treasurer, Judy Orr has joined the National Education Committee. They are working on updating materials for seminars and courses. Thank you for those who volunteer on our Board, many hands make light work.

Your Secretary, namely me, has agreed to take on the Administrator duties. Our chapter is alive and well, always interested in what you think and we welcome your input. We are working on our Chapter Newsletter and welcome your articles, pictures and sponsorship. What to name this newsletter is the question? Input from our membership is encouraged – it is all yours to name!

*continued...*

## Chapter Chatter Cont'd.

Our educational features this year are based on the requests of our membership. Presidents Forums in both French and English, Seminars scheduled include: Bookkeeping/ Accounting, Insurance, and CM100. Check out our updated website for news and views: [www.cci.ca/NewBrunswick](http://www.cci.ca/NewBrunswick)

Please continue to use CCI NB as a resource. Make use of the National website which is our best source with new information added on a regular basis. The New Brunswick site also carries all ongoing activities and a directory of professionals who service condominiums.

If you have news about your Condominium you would like to share with our members, awards won, efficiencies gained or any other item please send it to us and we can put it on our web site and add it to the newsletter. Volunteers are welcomed and the experience you will acquire as a result of being on our Board or your Corporation Board will benefit your everyday living in your Condominium. Our membership drive is on now and we welcome new members. We are here to educate and no question is left unanswered.

Any questions or issues please contact President Phil Williams at 506. 454.3499 or [philwilliams@bellaliant.net](mailto:philwilliams@bellaliant.net) or [ccinewbrunswick@cci.ca](mailto:ccinewbrunswick@cci.ca)

CCI encourages our community professionals to give a presentation. Please contact us and we can work out the details. Membership in CCI NB is a requirement.

Send your Condo picture to me and you will be focused in our newsletter.

Beth McDermott [emcdec606@rogers.com](mailto:emcdec606@rogers.com)

*Beth McDermott, Administrator  
CCI New Brunswick Chapter*

## UPCOMING CHAPTER EVENTS

### Eastern Ontario Chapter

- April 7 – Lunch n Learn: Self Managed Boards – Ottawa
- April 30/May 1 – Spring Condo Directors Course – Ottawa
- May 27 – ACMO/CCI Annual Conference and Trade Show – Ottawa

### Golden Horseshoe Chapter

- April 9 – Level 100 Course – Kitchener
- April 16 – Level 100 Course – Burlington
- May 6/7 – Conference & Trade Show – Kitchener
- June 4 – Level 300 Course – Milton

### Huronian Chapter

- April 9/10 – Directors Course – Barrie

### London & Area Chapter

- April 5 – Lunch n Learn: Condo Act-A Status on Licensing – London

### Manitoba Chapter

- April 21 – Lunch n Learn: People, Pets and Parking – Winnipeg
- May 19 – Lunch n Learn: Meetings, Meetings, Meetings: Don't Waste My Time – Winnipeg

### New Brunswick Chapter

- April 9 – Seminar: Insurance – Saint John
- May 7 – CM100 Course – Moncton

### Newfoundland & Labrador Chapter

- April 6 – Seminar: Safety & Security for Condos – St. John's
- May 7 – CM 100 Course – St. John's

### North Alberta Chapter

- April 14 – Lunch n Learn: Loving (not Lamenting) Your Landscaping – Edmonton
- April 30 – Conference and Trade Show – Edmonton
- May 28/29 – CM300 Course – Edmonton

### South Alberta Chapter

- April 21/28 and May 5 – CM300 Course – Calgary
- April 28 – Lunch n Learn – Calgary
- May 12 – CM101 Course – Calgary

### Toronto & Area Chapter

- April 2 – Education Extravaganza – Toronto
- April 9/10 – Level 300 Course – Toronto
- June 7 – Level 101 Course – North York
- June 22 – Seminar: Are Airbnb's in Condos Really an Issue? – Toronto

### Vancouver & Area Chapter

- April 21 – Seminar: Nominations and Elections in Stratas – Vancouver
- May 28 – Repair & Maintenance & CRT Update – Vancouver
- June 23 – Strata Council Member Code of Ethics – Vancouver

### Windsor Essex County Chapter

- April 13 – Seminar: Insurance Advice & Recovery/Restoration Following Damage – Windsor

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

[www.cci.ca](http://www.cci.ca)



# Do you suffer from PTCD?

## (Post Traumatic Condo Disorder)

By Brian Shedden, Entuitive

Ahh...the carefree condo lifestyle. That's what is sold isn't it? No more worries about maintenance, cutting the grass, fixing the roof, replacing the windows, servicing the furnace...sounds fantastic!

I think that for those of us who live in and work in the condominium sector, the realities of the 'carefree lifestyle' are really anything but.

The three "P's" of condominium life are: People, Parking and Pets. In no other setting do these three small words conjure up such images of disputes and ill will.

Whether it's the unit owner who is a constant nuisance, the Board member who feels all-powerful, the long-time resident who thinks they know better or the tenant who just doesn't care about anything to do with the corporation, the People aspect of a condo can make life unbearable at times.

Parking...well, who amongst us has not participated in some long drawn out affair about non-residents parking on site, debris in parking spots, moving vehicles for parkade cleaning (or not!) and my favourite: the unit owner who rents out their parking space, providing keys and access to an otherwise secure building!

Pets are pets...we all love them right??? Well not all of them. Ever try to enforce a size or breed condition? Ever have to pursue video footage to determine whose dog has soiled the



front entrance? And what about that yappy little dog whose bark pierces even the most sound-proof barriers?

Throw on top of these every day nuisances such fun items as dysfunctional Boards, ineffective property managers, ever-increasing insurance premiums, operating budgets that only know how to go up and my personal favourite, the unexpected and large Special Assessment, rendered necessary by either poorly prepared reserve fund studies or failures to plan by past Boards and it is no wonder that so many folks are suffering the symptoms of PTCD.

**And what are these symptoms?**

Insomnia, fear of encountering a neighbour, unwillingness to open mail from the property manager, lack

of attendance at AGMs, for sale signs and general disengagement within the community.

Fortunately, there is an effective treatment for PTCD: Active participation in CCI.

Monthly, CCI hosts luncheons of import to all involved in condominiums. Quarterly, CCI presents courses for Board members and Condo residents to better understand their rights and responsibilities. And, one of my favourites, you can always reach out to a CCI Board member for advice. This is a group of the top people in the field and they volunteer their time and efforts to make the condo living experience the best it can be.

I sure hope you take CCI up on their offerings...it sure beats two Tylenol! [cci](#)

# Insurance deductibles

What condominium boards need to know – and how not knowing can get you into trouble

By David Cumming

Insurance deductible chargebacks are often seen as a scourge for Condominium Corporations. The reason being that not only can they be a substantial expense, but also an unexpected one. If there is a clogged toilet or burst water pipe in one of the units, that could mean a hefty repair bill which is only partially covered by insurance. The deductible has to be picked up by the owners by either dipping into the operating budget, reserve fund, or in some cases issuing a special assessment.

It doesn't have to be this way. Recently, Condominium Corporations have been moving towards better managing these deductibles by passing the risk on to the individual owners themselves. The law on this new scheme is still developing, but as it becomes more and more common we can expect more cases on it as well.

So here's where the law stands today. The Court in Alberta reasoned a few years ago that as the Condominium

Corporation is obligated to insure, they are also obligated to cover the deductible. In other words, even if the unit owner is at fault the Condominium Corporation cannot pass the deductible on to the unit owner themselves. Although some cases from other Provinces have cast doubt on this notion, as of this writing it remains the law of the land.

The problem with this is that it is somewhat unfair to the other owners who had nothing to do with the loss but still end up having to pay for a portion of the deductible. Imagine this situation. Your neighbour down the hall goes out of town for a ski weekend and leaves the balcony door open causing a pipe to freeze and burst. The Corporation has to go in and repair the damage. They're required to be insured for this loss, but the deductible for something like that could easily be \$50,000. Now you and all the other owners in the project have to share this cost even though only one unit owner was at fault.

In response to this, Condominium Corporations have begun adopting bylaws which state that if the owner is responsible for the loss, or even if it originates from their unit, then the deductible can be charged back to the unit in the same manner as condominium fees. These Bylaw provisions have recently been challenged but have been upheld by the courts. Hence now Corporations are able pass a bit of the loss on to the responsible owner themselves.

I see this particular scheme as preferable for a number of reasons. Firstly, it makes sense from a fairness perspective that those owners who are at fault for a loss pay the full deductible rather than split it with their neighbours. Condominium fees can be reduced as the Corporations won't be on the hook for deductibles. Owners in turn gain greater control over the management of their own properties as they can choose whether they want to get insurance to cover a potential deductible chargeback or whether they want to risk it and be uninsured. Lastly, this also encourages owners to take care and maintain their property as failing to do so means they could be stuck with a large chargeback.

If your Condominium Corporation is faced with an insurance deductible chargeback situation, you want to ask a few questions first. Number one, do the bylaws address this at all? If the bylaws do not have a provision allowing for the deductible to be charged back to the unit owner, then you are likely out of luck and the Corporation will have to pay. If there is a provision in the bylaws, then the next question is - what does it say? It may be that the owner has to be



found to have been negligent in causing the loss for the deductible to be charged back, or it may be enough that the loss originated from the unit. Lastly, can you charge the cost back to the Unit and register a caveat if it is not paid? Again, this will all depend on your Bylaws.

When Boards don't know their Bylaws or get proper legal advice, that's when problems can arise. The Condominium Corporation may end up paying for a deductible when it was in fact the owner's responsibility. They could also end up charging a unit for a deductible without the proper authority to do so. This can (and believe me, it does) lead to lawsuits on behalf of the unit owners resisting a charge back that the Corporation may have had no authority to pass on in the first place. Now both the Condominium

Corporation and the owner are out a bunch of money in legal fees, and the owner and the Board members are likely at loggerheads. Hardly a good outcome.

To avoid this situation, don't just run off and pay that deductible or bill an owner for it right away. Look at your Bylaws. Consult a lawyer. Only after you've done this should the Board be making a decision.

As one further piece of commentary, a Provincial Court decision recently suggested that if the deductible in question is too high then the Condominium Corporation can't charge it back to the unit owner, even if the Bylaws state that they are able to do so. The reasoning of the Court in this case was that the Condominium Property Regulations talk about a "reasonable" deductible, and if the deductible

in question is so high that it is not considered reasonable, then the courts may decline to pass it on to the owner. Although said as an aside in this case, this issue will likely come to a head and Condominium Corporations may be called upon to prove that the deductible they've agreed to is reasonable. This will no doubt require evidence from Condominium Boards as well as their insurance companies. Unfortunately, it will be difficult to judge what is or is not a "reasonable" deductible until an authoritative decision comes down the pipe. Stay tuned. cci

**David Cumming** is an associate of the dedicated Condominium Law group at McLeod Law where he represents condominium corporations, their boards of directors and homeowner associations with resolving a broad range of legal disputes.



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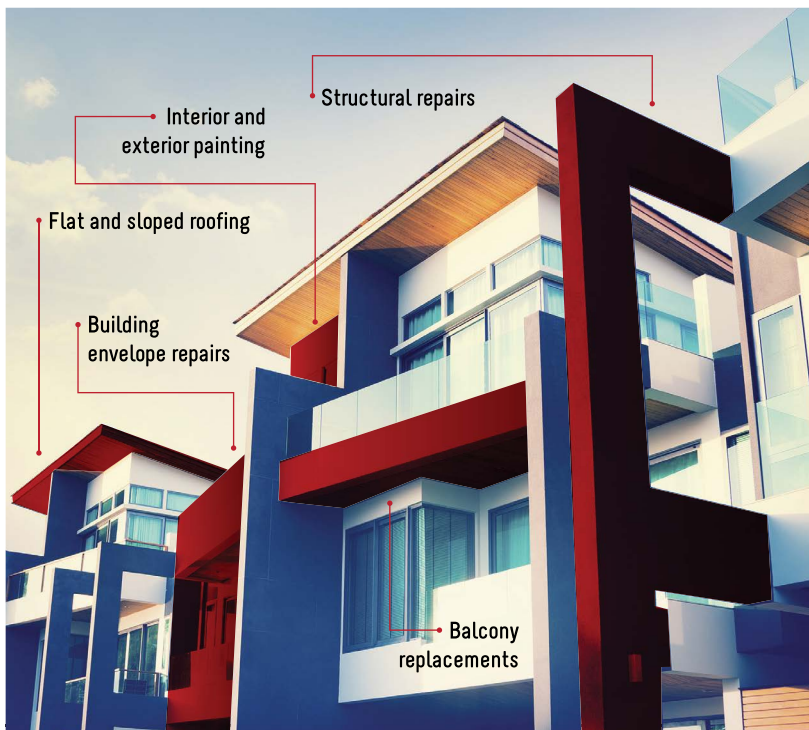


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# CCI expansion a success

101 course held at Lethbridge and Medicine Hat

**C**CI South Alberta Chapter has been working diligently on really expanding our reach to all of South Alberta, not just Calgary. We are very excited to report we have branched out and offered our 101 course to both Lethbridge and Medicine Hat. Both courses were hugely successful with over 30 people registered for both. We offered 2 free course registrations with the purchase of a new membership. This initiative has increased our Condominium Corporation membership by 15. Thank you to Rio Vista Condominium for hosting our instructors and the course participants in Lethbridge and Phil Rosenzweig from Braemore Management for all your assistance in the planning and sourcing of participants in Lethbridge. Thank you to Ron Noël, Chair, Medicine Hat Condominium Association for your assistance in planning and sourcing participants in Medicine Hat and Chinook Village Condominium for hosting our instructors and the course participants. 



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CONDOMINIUM CORPORATION MEMBERSHIP AS OF MAY 3, 2016

Agora Condominiums  
 Aviara  
 Carefree Resort on Gleniffer Lake  
 Chaparral Pointe Adult Condominiums  
 Chaparral Estates  
 Christie Point  
 Churchill Manor  
 Cimmaron Pointe  
 Citadel Heights  
 Coach Bluff Villas  
 Coachway Green  
 Colonial House  
 Condominium Plan 0410103  
 Condominium Plan 9210296  
 Condominium Plan 9412387  
 Condominium Plan 0312860  
 Condominium Plan 0713943  
 Condominium Plan 0513473  
 Condominium Plan 9010136  
 Condominium Pan 8810578  
 Condominium Pan 0113543  
 Condominium Plan 9512876  
 Condominium Plan 9710247  
 Cottage Club – Ghost Lake  
 Country Lane RV Park  
 Country Lane - Lethbridge  
 Dorchester Square  
 Eau Claire Estates

Edgepark Villas  
 Evergreen Village  
 Eversyde on the Park  
 Fairway Greens  
 Fairway Village  
 Fletcher Village  
 Gladstone Village  
 Glenbrook Meadows  
 Hardwood Estates  
 Henderson Estates  
 Heritage Heights  
 Heritage Manor  
 Heritage Terrace  
 Hillhurst Tower  
 Holly Springs  
 Holly Park  
 Holly Point  
 Killarney Grande  
 Killarney Meadows  
 Kings Heights  
 Lakeview Green Phase II  
 Lowery Gardens  
 Madison on Main  
 Mount Pleasant Court  
 Mountain View Terrace  
 Norwood Grande  
 Oakhampton Court  
 Orchard Place

Park 300 Palisades  
 Park Place  
 Parkside Place  
 Pencross Condominium  
 Pine Pointe Place  
 Pines Condominium Association  
 Prairie Sound Townhomes  
 Prince of Peace Village  
 Poplar Green  
 Polo Park Phase 5A  
 Ranchland Meadows  
 Red Haus Condominium  
 Redberry Ridge Condominium  
 Redwood Manor  
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 River Ridge Estates  
 River Run 1  
 Rutland Mews  
 Sandpoint Park  
 Scenic Acres  
 Sierra Grande  
 Sierra Morena Villas  
 Sierras of Country Hills  
 Sierras of Evergreen  
 Sierras of Tuscany  
 Sierras of Richmond Hill  
 Sheepcreek View  
 Sol of Sunnyside  
 Stella Nova  
 Storybook Village  
 Strathglen Estates  
 Sundace Estates  
 Sunflower Garden Court  
 Sunridge North Business Park  
 The Curve  
 The Estates at Terrace View  
 The Homesteads  
 The Mansions at Prominence Point  
 The Mesa at Crystal Shores  
 The Renaissance at North Hill  
 The Tudors at the Landings  
 The Victoria  
 The View at Sunrise  
 Varsity Estates Villas  
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 Varsity Villas  
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## Have you renewed your CCI-SA membership for 2016?

The benefits of joining the Canadian Condominium Institute, South Alberta Chapter include:

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Email [administrator@ccisouthalberta.com](mailto:administrator@ccisouthalberta.com) to renew your membership today!

## cci south alberta chapter members

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John Burton  
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Janice Charnstrom  
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Lloyd Conn  
Linda Faulkner  
Sheryl-Lynn Francis

Mark Hambridge  
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AS OF MAY 3, 2016

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Calgary Condominium  
Consulting Ltd.  
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Cambrian Condominium  
Consulting

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Inspection Centre Inc.  
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Condospec Inc.  
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On Side Restoration  
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Exp Services Inc.  
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Kellam Berg Engineering  
& Surveys Ltd.  
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ngineering Ltd.  
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Services Inc.  
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**Greg Cortese**  
BFL CANADA Insurance Services Inc  
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**Devon Jacobs**  
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Burke & Hoffinger  
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**Gordon Van Vliet**  
Norton Rose Barristers & Solicitors  
403-267-9436

**Andrea Forhan**  
Martinson & Harder Law Office  
403-556-8955



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Lloyd Conn  
Jan Thompson  
Drew Spencer

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Terry Brown  
Katherine Jones

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Guns N' Hoses Roofing,  
Exteriors & Insulation  
Matco Financial Inc.  
Pro Property Services

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CP#8810578  
CP#9512876  
CP#9710247  
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Dorchester Square Condominium  
Henderson Estates  
Heritage Terrace Condominium  
Hillhurst Tower Condominium  
Madison on Main Condominium  
Scenic Acres Condominium  
Sierras of Evergreen Condominium  
Sundace Estates Condominium  
The Curve Condominium



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**Anton Q Suberlak**  
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403-873-3703

**Laurie Kiedrowski, LL.B.**  
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**James Polley**  
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**Roberto Noce**  
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**John McDougall**  
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**Karen Hermeston**  
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**Eleanor Kidder**  
Royal Lepage Integrity  
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Senior Associate  
CCI Board of Directors

**brian.shedden@entuitive.com**  
403.879.1242

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Karl Neufeld  
604-984-7564

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Will Pozzo  
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Jim Critchley  
403-669-9516

**Matco Financial Inc.**  
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**Asset West Property Management**  
Darren Potter  
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**Condeau Management Services Ltd.**  
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**FirstService Residential**  
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**Keystone Grey Property Management**  
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**Larlyn Property Management Ltd.**  
Michael Holmes  
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**Magnum York Property Management Ltd**  
Peter Best  
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**MCM Property Management Ltd.**  
Ming Chow  
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**Monday Management Inc.**  
Pamela Wilson  
403-230-9405

**New Concept Management Inc.**  
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Evelyn Thompson  
403-640-9378

**Signature Alliance Management Group Inc.**  
Karen Kovacs  
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**Sunreal Property Management Ltd.**  
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403-343-0200

**Ultimate Property Management Inc.**  
Judy Walker  
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**All Weather Windows**  
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403-235-5400

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Cam Lang

**Chubb Edwards**  
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**Connecting Condos Ltd**  
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403-796-7663

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Steve Bleile  
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**Lumenix Inc.**  
Jarrod Murray  
587-437-8792

**Lydale Construction**  
Ryan Presakarchuk  
403-571-1200

**Max 7 Cleaning &  
Property Services Ltd.**  
Sharon Fuchs  
403-805-7778

**Normac Appraisals Ltd.**  
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604-221-8258

**Practica Ltd.**  
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**Pro Property Services**  
Pro Property Services  
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**Reliance Asset Consulting Inc.**  
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**Shaganappi Insurance Services**  
Arfan Devji  
403-221-7004

**Skyline Building  
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403-230-6744

**SIS Supply Install Services (1994) Ltd.**  
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**Supreme Windows**  
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Jim Burge  
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Dave Yates  
403-291-2772

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403-536-7000

**Hunter Developments**  
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403-612-6882

**Superior Fire & Flood Restoration**  
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778-883-5512

**Prostar Cleaning & Restoration**  
Sheena Devries-Brown  
403-695-1082

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# SAVE THE DATE

June 29, 2016 17th Annual Golf  
Tournament

## CCI Courses New Online Registration

For all our available event registrations visit:

» [www.eventbrite.ca/o/cci-south-alberta-chapter-8097891200](http://www.eventbrite.ca/o/cci-south-alberta-chapter-8097891200)



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*Do you love your condo?  
Is it a great place to live?*

*Tell us about your condo  
and it could be our*

# CONDO

What makes your condo such a great place to live?

How do you build community?

Please describe in detail why your corporation deserves the award.

*Some ideas on things to include  
with your submission:*

- Owners Quotes
- Pictures
- Social or culture committees
- Problems you have overcome



# OF THE YEAR

## *Process:*

Your submission will be reviewed by the Awards and Recognition Committee of the CCI Southern Alberta Board.

3 finalists will be chosen.

Site visits are then arranged with each of the 3 finalists in early September.

During this Site visit we talk to your representatives and tour your property.

We want to get to know you and your corporation.

The committee then determine the winner.

All 3 finalists are invited to and treated to lunch at the September 22, 2016 CCI Annual General Meeting where the winner will be announced.

## *Submission:*

Due in our office August 1, 2016

3 pages maximum. (No handwritten submissions please.)

Please submit applications to  
PO BOX 38107, Calgary, AB T3K4Y0

[administrator@ccisouthernalberta.com](mailto:administrator@ccisouthernalberta.com)

Volunteers are the backbone of our industry. It's time for us to give them the recognition that they deserve. Nominate your best volunteer for the first **CCI - Southern Alberta Chapter**

# VOLUNTEER *of the* YEAR AWARD

## CRITERIA FOR NOMINATION:

Why nominated? How long have they been volunteering?

What success have they been instrumental in?

Why is this person deserving of being recognised?

How the condo community benefits from their involvement?

## PROCESS:

Your submission will be reviewed by the Awards and Recognition Committee of the CCI Southern Alberta Board. 3 finalists will be chosen.

Phone interviews are then arranged with each of the 3 finalists in early September. During this phone interview, we talk to the nominator and nominee. We want to get to know you and your corporation.

The committee then determines the winner. All 3 finalists are invited to and treated to lunch at the September 22, 2016 CCI Annual General Meeting where the winner will be announced.

## SUBMISSION:

Due in our office August 1, 2016  
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(No handwritten submissions please.)

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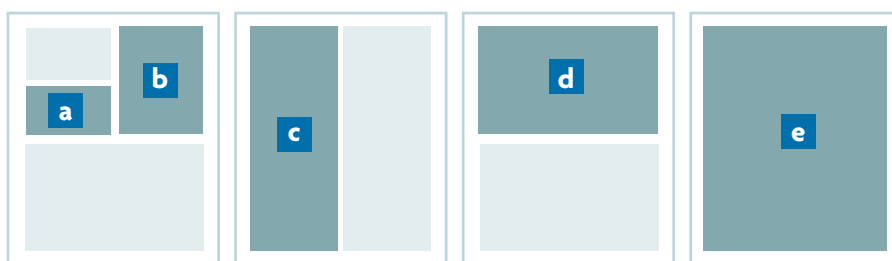
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## deadlines

Spring 2016	April 30, 2016
Summer 2016	June 30, 2016
Fall 2016	September 30, 2016
Winter 2017	December 30, 2016

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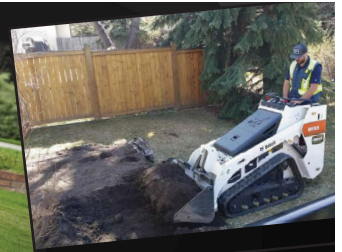
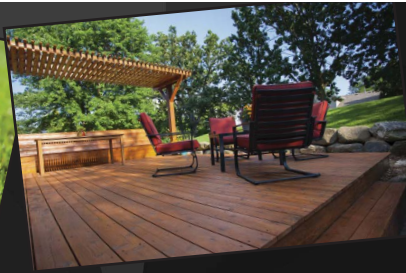
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