

WHAT CONDO DWELLERS ARE READING



TORNADO ALLEY

Canada is the world's second most tornado-prone nation after the United States. Every year during tornado season, Canada experiences 80 to 100 tornadoes from March through October.

Storms can produce severe winds, even tornadoes under the right circumstances. Condominium managers, boards and residents underestimate the potential for damage when wind starts to blow.

Advance preparation is crucial. During any high-wind storm, unsecured items can become deadly projectiles. Secure all loose

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FROM THE EDITOR

The holiday season arrived early this year when the Condominium Authority of Ontario (CAO) gave two gifts to condominium corporations.

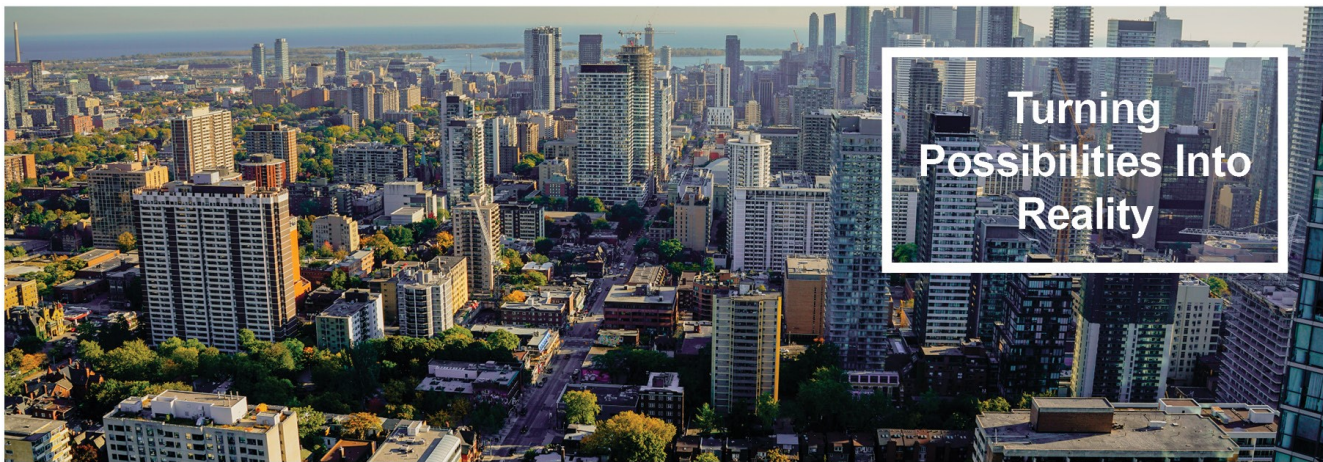
For communities struggling to achieve quorum at their Annual General Meeting (AGM) and utilizing electronic voting, these votes now count toward quorum for those not in attendance at the meeting. Let us hope this helps to eliminate the use and abuse of proxies during condo elections.

Their second gift allows condominium corporations to communicate with owners by e-mail without first having to pass a by-law or obtain written permission. In a semi-grinch-like move, the CAO specifically excludes condo owners from accessing this information to communicate with each other.

Season's greetings to everyone from **Toronto Condo News**.

A PEEK

<i>Online Shopping - Protect yourself from scams</i>	Page 3
<i>Safer Elevator Doors</i>	Page 6
<i>Slip and Falls Proving Costly to Communities</i>	Page 7
<i>Refusal to Curb Noise Costs Owner nearly \$10,000</i>	Page 8
<i>Air Quality - Not all floors are equal</i>	Page 10
<i>Communications and Community</i>	Page 11
<i>Must the Condo Board President follow By-Laws</i>	Page 12
<i>Room for Improvement</i>	Page 13
<i>What to Look for in a Contract - Read the fine print</i>	Page 15
<i>Decline in Reserve Fund Strength</i>	Page 17
<i>Technology-Enabled Building Access</i>	Page 19
<i>Condo Living Misconceptions</i>	Page 21
<i>Peace at Home</i>	Page 23
<i>Condo Fraud</i>	Page 25



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ONLINE SHOPPING

Protect yourself from scams

Shoppers began
skipping crowds
and clicking online
to purchase holiday
gifts years ago.
More are doing so
today.

Many hate
shopping and there
is nothing worse
than holiday shopping. Traffic on the road, hunting for a parking
space, the crush of people and long checkout lines. Fewer are
prepared to "Shop till you drop" and have moved their shopping
online.



Holiday is peak season for scammers who are pretty clever at making
it hard for you to figure out what's fake and what's real. Here are
some tips to protect yourself when shopping online.

Pay with a credit card

Debit cards can be viewed as a way to avoid getting into debt but
come with few protections. Credit cards offer many more
protections such as for goods or services not received and
unauthorized charges. Your credit card company may even be
prepared to temporarily withhold payment to vendors while they
investigate a fraudulent purchase.

When paying with a debit card for a service or product never
received, you must dispute the charge with your bank after it has
been deducted from your account.

Don't be fooled by holiday gift card offers

Virtually all e-mails and texts offering a holiday gift card – usually in
the amount of \$50 – are fake. If you do think a communication is
real, check the company web site or call customer service to inquire if
it is legitimate.

CONTINUED PAGE 4 ...

ONLINE SHOPPING... CONTINUED FROM PAGE 3



Be concerned about anyone suggesting you pay for a purchase using a gift card. Scammers prefer you pay in this way on their sites. This is comparable to paying cash and virtually impossible to get your money back should you not receive your purchase.

Unrealistic shipping promises

Nothing is “free” when purchasing things including fast and free delivery. If shipping promises seem too good to be true, consider that it might arrive late or not at all. It can be safer to purchase elsewhere, wait longer and pay a little more.

Fake shipping text messages and e-mail

Never click on anything in a text or e-mail regardless of how appealing or legitimate it appears. Why risk exposing your electronic device and personal information to scammers who may want to have your purchase redirected to them. It is safer going to the retailer’s website where you can enter your order number or purchase code.

For tracking, go to the retailer or delivery service’s website before entering a tracking number.

Always look for a physical address

Legitimate online stores provide a physical address and working phone number in the contact section. The harder you have to work at finding this information, the greater the likelihood something about the site or business is suspect.

Be their guest

Online shopping sites encourage you to create an online account to make a purchase. This requires providing personal information they can store on their database or resell to others. Providing this information to a fraudulent site makes you a target for future scams. Checking out as a guest is safer in that less information needs to be provided.

Scammers have become so clever that it’s often hard to figure out what’s fake and what’s real. They will play to your fears about inflation, delivery delays and certain hot items being out of stock.

Online shopping is not disappearing anytime soon. Take advantage of it but be smart when doing so.



TORNADO ALLEY... CONTINUED FROM PAGE 5



outdoor objects including lawn furniture, garbage bins, potted plants, bikes and toys. Umbrellas on balconies are particularly dangerous and are often disallowed although some communities fail to enforce this. They can easily blow off during a windstorm, taking other items with them, causing injury and property damage.

The deadly storm that devastated Southern Ontario in May 2022 arrived with only minutes of warning prior to tornado-grade winds. Its aftermath included 10 people dead, massive damage and destruction to buildings. An August 2021 tornado in Barrie left a five-kilometre-long path of destruction and \$75 million in damage. Wind speeds that reached 210 km per hour wreaked havoc on over 150 homes and displaced families. After the tornado, 60 homes were deemed “unsafe to enter”.

“While high-rise buildings can be designed to withstand intense windstorms, little can be done to protect a building from the direct impact of a tornado” explains Lee Hopwood of [RespondPlus Restoration Services](#). “When damage occurs to the structure or glass, it allows water to enter and cause further damage. Shards of

falling glass in the surrounding area is a hazard. Wood structures are less resilient and more likely to incur substantial structural damage, including displacement of roof structures and structural collapse.”

Windstorms and tornadoes frequently down trees and cause power outages. Power surges occur when electricity is restored causing voltage spikes that damage electronics. Surge protectors protect electronic equipment when the power returns after a power failure.

Thunderstorms and high-wind storms, which have the potential to develop into tornadoes with little warning, are expected to increase in frequency and intensity. Management can expand on their planning and response plans for severe weather events to include damage from strong winds.

Restoration service companies get busy after any windstorm or tornado dealing with its aftermath. Knowing who to call, in advance of such a calamity, is part of emergency planning.



SAFER ELEVATOR DOORS



When an elevator door closes, there is protection against it closing on someone in the doorway.

As technology progressed, the strike bar was replaced by a laser two-beam photocell. As technology continued to advance, this was replaced by a full light curtain. Swiping your hand anywhere in front of the closing door, in the open space, would cause a closing elevator door to re-open.

Philip Staite of [Quality Allied Elevator](#) describes how elevators are being made safer by changes in the elevator safety code. "Recent changes in the elevator safety code now replace the multibeam light curtain with a 3D beam that extends beyond the door. People standing too close to an elevator door may cause it to remain open until the area is clear. A closing elevator door will reopen if someone steps into the space in front of the door that is covered by the beam."

This change in the elevator safety code does not require older elevators to be updated. At such time as elevators are replaced, newer equipment will be required to comply with the current elevator safety code.



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SLIP AND FALLS PROVING COSTLY TO COMMUNITIES



Each year there seems to be a smaller pool of contractors available for clearing snow. Those available are charging more for their services.

Snow and ice contractors are finding the cost of insurance to be prohibitively expensive with annual increases ranging from 25 percent to 600 percent. Many are leaving the industry.

A growing number of slip-and-fall claims stand out among the reasons for this. Fewer insurers are prepared to provide coverage for these claims. Ontario law makes snow and ice contractors at fault if someone is injured from a slip-and-fall. The cost to fight these claims is so high that insurance companies are more likely to settle them prior to trial rather than fight false claims.

High-rise condominium buildings are the riskiest clients for snow and ice contractors in terms of frequency of claims. Their numbers are higher than even some larger retail operations.

A condo owner suing the corporation, or contractor, over a slip-and-fall is essentially suing themselves. Condo fees increase to cover the higher cost of dealing with snow, ice and water on the property. This includes the rising cost of insurance coverage for contractors.

Slip-and-fall claims can be filed up to two years from the event. With so much time passing from the event to the legal action, individuals have difficulty providing details such as weather, amount of salt used and footwear worn. Frivolous claims are more

difficult to defend against. Many contractors don't maintain this level of documentation, or maintain records for this period of time.

Claims may be decided by the amount of salt used. More is better to provide traction. Yet excessive salt damages condo buildings thus increasing cleaning and repair costs. It damages cars, underground garages and landscaping. It is damaging to the environment and our health yet cannot be reduced in high-rise communities without greater exposure to slip-and-fall litigation.

Contingency lawyers, who offer free representation for these claims, contribute to their increasing volume and cost. It can be more economical to settle a claim for \$30,000 or more than it is to defend against and win.

Smaller snow and ice contractors are leaving the industry, with only the larger and more expensive services remaining for high-rise communities to consider. The legal liability for slip-and-falls is so high that condominium communities are unwilling to accept liability by having their own employees do some of this work.



REFUSAL TO CURB NOISE COSTS OWNER NEARLY \$10,000

Noise is an increasingly expensive and time-consuming problem for those who fail to act responsibly. When condo boards fail to effectively enforce their governing documents, the Condominium Authority Tribunal (CAT) can be asked to rule on the matter. Here are three recent disputes.

In one dispute, an owner filed with CAT against another owner regarding noise from a piano. The piano owner was unsuccessful at arguing there was no reasonable cause of action.

A separate dispute involves a condo owner who tired of noise from the unit above and turned to the CAT for resolution after their corporation failed to enforce its noise rules against the owner of that unit. The problem was about flooring. The owner was forced to participate in the hearing by the corporation.

A third dispute involved an owner making excessive noise disturbing to other residents and failing to comply with a corporation request to resolve the matter by soundproofing his and neighbouring units. This dispute was unique in that the owner refused to participate in CAT proceedings and was ordered to pay \$9,848 in legal costs.



Increasingly, condo residents are turning to the CAT for final resolution of noise complaints.

THE UNDERAPPRECIATED LINT TRAP

The lint trap is part of the exhaust system for your clothes dryer. When clogged, it increases drying time and wastes electricity. Build up of lint in the trap and ducts is a fire hazard. If it gets fully clogged the system stops working.

Prior to 1990, lint traps were not always part of a unit's design unless personally installed. Newer buildings are likely to have a lint trap mounted in the ceiling above the dryer that is difficult to access without a ladder or an uncomfortable reach. Opening the lint trap can be difficult. Older people are less able to access them while younger residents are unaware of its existence.

Regardless of the reason, lint traps are not being cleaned as frequently as necessary, or at all. Newer and more accessible lint traps are needed if they are to be cleaned after every dryer cycle as recommended.



FAILED ENERGY EFFICIENCY EFFORTS



A former Toronto Hydro energy consultant shares his experiences after visiting hundreds of buildings.

Some condominium managers and boards are professional and seek the best for their communities. They work well with consultants, ask questions and come to reasonable conclusions. Others are unwilling or unable to consider either facts or reality.

Here are two stories from local communities.

Tin Hat Peter

Tin Hat Peter (THP) was on the board of a property that had two tall condo buildings and a common parking area. This required three boards, one for each building and one for the common area.

THP was on the board of one building and the common area board. Parking lot lighting was in need of replacement and I offered financial incentives to encourage their upgrade to efficient lighting. THP, an engineer, wasn't convinced and didn't trust Toronto Hydro. Incentive money provided by the Province of Ontario was irrelevant. This "chemical" engineer had no knowledge or ability to judge an energy-related project yet felt it was a ploy by Toronto Hydro to control and monitor lighting in the parking garage.

It took nearly two years for the board to approve the parking lot lighting upgrade and receive the financial incentive. They lost thousands of dollars in annual savings and had a payback of 2.5 years.

The Old Man

Building recommissioning is a complex process of resetting and realigning the chiller systems with the building operating systems and pumps. This is similar to an automobile tune-up. It ensures systems are working together so they achieve an optimal level of efficiency and financial savings.

In one building the chiller was a good candidate for recommissioning rather than having it replaced. The system was in overall good condition. The cost of this work would be repaid through financial savings in about seven months after including financial incentives accounting for over half the cost of the work. When presented to the board and on hearing this, one 80+ year old board member who fell asleep during part of the presentation loudly said "NO! This is bullshit, nothing is less than a year!" And that was it. No amount of explanation could convince this individual or the other directors. The director stated "I'm an engineer, this is a lie. It will not work!"

The following summer the condominium corporation purchased a new chiller at more than double the cost of the proposed recommissioning.

Thank you to Iain Robertson at [Grey Matter Energy](#) for sharing his experiences when advising condominium corporations on how to improve their energy utilization and saving money.



AIR QUALITY

Not all floors are equal

Balancing fresh air systems allows all floors and suites to obtain better air quality by providing more fresh air to all levels of a building.

Without balancing of fresh air systems, ventilation or air quality will vary by floor. Higher floors will receive more fresh air from systems that deliver this air from the roof while lower floors can struggle with reduced air quality.

Individuals suffering from asthma, allergies or other

breathing problems can have more difficulty when air quality is reduced.

Balancing of fresh air systems may be necessary throughout the year as seasons, weather and temperatures change.

it is best to keep windows closed and allow a properly functioning HVAC system to do what it is intended to do.



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COMMUNICATIONS AND COMMUNITY



The success of communities depends on effective communication between board members, managers and residents. Virtually every matter can be improved or worsened through communication. **Toronto Condo News** places such importance in communication that it warrants a major classification in the [Condo Archives](#). There are 11 categories of articles!

Any community that hopes to achieve optimal results and operations needs to be effective in their communication.

Effective communication is about managing expectations. People should know what to expect and what will be delivered. Communications should always be clear, concise and transparent.

Owners and residents should not be able to say they don't know what's going on

Owners and residents should not be able to say they don't know what's going on. Open board meetings allow residents to listen and participate, with a private session for the board to discuss confidential matters. Meeting minutes and basic financial information should be posted monthly on a website or online portal. Elevator and electronic notices inform all owners equally, as do newsletters.

Condo management software and applications are built for communication between management and

residents. From private correspondence to the posting of general notices, there is no better way to enhance communication, improve efficiency, gather insights and reduce problems. Digital libraries are ideal for documents of all types; financial records, governing documents including declaration and rules, building policies, new resident information, government mandated information certificates, and newsletters. Residents learn to check their library before requesting information if that library is regularly updated. E-mail blasts, which may be sent daily, provide updates on building services. Internal messaging allows residents to communicate directly with management or board members by direct sending and receiving of private messages. All communication is stored and accessible in the system which reduces recording keeping.

Answering each question once is better than individually responding to identical inquiries. Residents are impressed when they read a well-written response available to all rather than a shortened response to a personal inquiry. This leaves a positive impression among residents and creates an environment of trust.

General Rules

Questions, complaints and service requests should be in writing to management. Using the condo management software portal ensures a historical record is maintained.

Confidential information relates to owner information, conflicts, financial issues, health concerns, labour disputes, and legal matters. None of this should be shared with owners.

MUST THE CONDO BOARD PRESIDENT FOLLOW BY-LAWS

There are reasons why a Condo Board President, or any board member, may choose to disobey rules or by-laws of the corporation.

The President is elected to the Board by the membership of the corporation, then elected President of the Board by the elected directors. They don't have unlimited power to do as he or she sees fit. At times, decisions may have to be made that deviate from outdated or obsolete rules or by-laws. Some discretion to make decisions is warranted as outlined in the corporation's governing documents. These documents, at times, may be vague or lacking information pertaining to a specific matter.

This discretion does not extend to making self-serving decisions or going against the will of the

**GOOD
PEOPLE
DISOBEY
BAD
RULES**

Board. When this happens, the individual may be removed from their role as President by other directors, or removed as a director by a vote of owners.

BAD VIBRATIONS

When someone complains about noise, the problem is bad vibrations. These sounds or noises travel from their source and disturb building residents. Human activity, someone's behaviour in the building, can include jumping, yelling and loud music. There can be a defect in the design, construction or installation of the building or its mechanical systems. There may be an external source outside the building such as construction.

Communities implement rules, policies, and spend on maintenance to minimize or eliminate these bad vibrations.

Individuals doing aerobics, exercising or dancing in their unit can cause vibrations that travel to neighbouring units. HVAC and plumbing systems, elevators, air conditioners and garbage chutes all cause vibrations that can travel throughout a building. Nearby highways or construction equipment cause vibrations that travel through the ground and can pass into nearby buildings.

Unit owners can and should take reasonable measures to deter sound from escaping their unit and disturbing others. This may include sound absorption materials in walls or floors, and restricting activities such as loud music, construction and renovations. Condominium corporation governing documents likely include provisions relating to vibration that exclude or restrict certain activities.

Condominium corporations should maintain their building infrastructure to eliminate or minimize vibrations from building systems.

ROOM FOR IMPROVEMENT



There is always room for improvement in any high-rise community. Renovating or upgrading for aesthetics increases the value of your home and enhances common areas. There is always machinery or equipment that can be upgraded to something that performs better or is more economical.

There are risks to all improvements. Most require some level of regulatory compliance that may require design or décor decisions. Cost is always a consideration since there is rarely enough money to do what everyone wants. Few improvements end up being simple.

Something as straightforward as redesigning the lobby or hallway to make it look nicer can quickly become complicated. The renovation may trigger a requirement to bring the alarm, fire suppression and sprinkler systems to current standards. Changes may be necessary to make the space more easily accessible to those with disabilities.

The construction phase of any renovation project is

the easiest part. The difficulty is working with a board of directors, condominium manager, and everyone who lives in the building. Construction hours are limited. Protection around the construction space is necessary. Curious residents want to wander through the area and some will have complaints. One doesn't like the construction smells. Another is concerned about paint colour or carpeting.

Planning is the best way to reduce risk, surprises and to remain within budget. [Brown & Beattie](#) advises that "An engineer should be consulted before renovations or major equipment upgrades to help anticipate changes that could trigger required compliance with regulatory codes. Simple changes in the planning stage, and full costing of a project in advance, are more economical than learning of compliance requirements in the middle of a project."

A professional designer is recommended for any common area renovation project. Part of their role is to look beyond immediate aesthetics and physical structure. They consider not only what looks good now but what will endure. Value they provide includes suggesting what looks good while working with a limited budget and knowledge of available products.

Project Management

Every project should require that one person be involved from inception to completion. Their role is to manage the various vendors, be on site on a



CONTINUED PAGE 14

RENOVATIONS AND REPAIRS

ROOM FOR IMPROVEMENT... CONTINUED FROM PAGE 13

regular basis, and address problems or questions when they arise. In condominium communities, this role typically defaults to the condominium manager although a director, committee member or other individual may fill the role. When no individual with the time and expertise is available, a specialist can be employed. Where expertise is necessary for a highly technical project such as elevator replacement or equipment upgrades, specialized consultants are available.

Design by Committee

A design or decorating committee may be established to oversee a particular project. The committee should be composed of stakeholders with varied interests and expertise to best represent the needs of the community. The more people involved, the harder it is to make decisions. Committees of no more than five individuals are most effective.

One of the challenges in a community is that everybody considers themselves to be an expert. They watch home design shows,

read décor magazines and surf the internet. There is no shortage of opinions about what looks good and what isn't. The committee can solicit resident input, through meetings and written correspondence, and present useful ideas or comments to vendors through an established communication process.

Subject to board approval of a budget, the committee handles all aspects of the project. The board receives periodic reports and does not get involved in details unless requested by the committee or if project scope extends beyond what

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WHAT TO LOOK FOR IN A CONTRACT

Read the fine print



Condominium corporations are responsible for the management and oversight of physical property and financial assets, and the living environments of many hundreds of people. During the course of their duties, management and condo boards are responsible for signing and executing contracts involving many companies and individuals. This would include property management companies, security and concierge services, landscaping and snow removal contractors, and cleaning services. Delivery of electricity, gas, water, cable, internet, waste management and pest control all likely require contracts.

Contracts are usually binding, meaning that they cannot arbitrarily be cancelled. They include provisions that, if not adhered to, can result in financial loss and other consequences. Before signing, contracts should be reviewed and signed by the condominium manager or someone from the

condo board.

Termination Clauses

One of the most important considerations is the termination clause. This allows the condominium corporation to terminate a contract if conditions change. It may be that services are no longer required, costs have escalated in an unexpected way, or one party is dissatisfied with how the arrangement is working out.

There may be reasons to terminate a contract. Most termination clauses are reasonable. Some contracts contain termination clauses favouring service providers or contractors that make it virtually impossible for a condominium corporation to terminate the vendor.

CONTINUED PAGE 16

ROOM FOR IMPROVEMENT... CONTINUED FROM PAGE 14

has been approved. One individual should be assigned as primary to interact with contractors or vendors, and to communicate with the board. This is the person a designer or contractor comes to if there are problems, concerns or surprises.

Regardless of how a project is managed, there should be very few ultimate decision makers, and these individuals should be part of the entire process. When a project spans multiple years and

composition of the board changes, changing who are the ultimate decision makers frustrates those trying to complete a project on time, on budget and according to an agreed upon plan.



WHAT TO LOOK FOR IN A CONTRACT... CONTINUED FROM PAGE 15

Unreasonable termination clauses leave a condominium corporation without any viable options to be released from a contract for valid reasons that include poor performance or higher than agreed upon costs.

As a general rule, contracts should allow for termination without reason with 60 or 90 days written notice. Any sections specifying allowable reasons for terminating a contract should not be overly complicated, onerous, waiting an unreasonable time or requiring difficult-to-satisfy conditions.

Indemnification

Indemnification provisions protect the corporation from financial loss, errors and injuries arising from the work. For snow plowing, these provisions can make the contractor responsible for contractor injuries while doing the work or slip and falls by residents or guests inclusive of legal costs. Condominium managers and condo boards should ensure their corporation is listed as an additional insured under the provider's insurance policy, and require that a Certificate of Insurance be provided to confirm this before a contract is signed.

Liability for Safety Protocols and Liability

Ontario's Occupational Health and Safety Act (OSHA) requires that one party be responsible for protecting workers on a site from health and safety hazards. Construction projects should specify that the general contractor for the project is solely designated as the "constructor" for the project. This minimizes the corporation's risk or liability to the greatest extent possible.

Renewal Provisions

Contracts signed by a condominium corporation may be for fixed terms such as one, five or ten years.

At the end of a term, contracts may be automatically renewed if notice is not provided by a specified date prior to the contract's

expiration. Future dates and termination obligations are too easily forgotten. It is advisable not to include automatic renewal of a contract.

Best to read contracts closely before signing and pay close attention to the details. Always read the fine print. Failing to do so could be a costly mistake.

Unreasonable termination clauses leave a condominium corporation without any viable options to be released from a contract for valid reasons that include poor performance or higher than agreed upon costs

It is advisable not to include automatic renewal of a contract

DECLINE IN RESERVE FUND STRENGTH



Reserve funds are intrinsically linked to reserve fund studies, which are often conducted with site or building inspections. The objective of these inspections is to identify current deterioration while predicting future wear and tear. Reserve funds aim to accumulate sufficient funds for essential replacements and major repairs.

This theoretical framework does not consistently align with real-world outcomes.

In Florida, an engineering firm conducted a site inspection and found numerous building components with zero remaining years of useful life. About a year later, the building catastrophically collapsed, resulting in 98 fatalities. It is one of the most devastating building disasters in U.S. history. Cracks in the structure were documented as early as 2018 and again in 2020, before the tragic collapse in 2021. Residents, directors and managers had seemingly become acclimatized to the visible damage, overlooking it for up to two decades. These warning signs, the only overt indicators of deteriorating internal conditions, worsened over time in plain view of everyone.

One American firm, responsible for over 70,000 reserve fund studies, has noted a decline in reserve fund strength in 2022 when compared to 2002. An increasing number of condo boards and their volunteer directors - elected by owners to represent communal interests - are making short-sighted financial choices, delaying necessary maintenance,

repairs, and replacements. They may be planning for eventual special assessments instead of regular contributions. Or worse, doing nothing.

While many volunteer directors do an exceptional job, misguided owners sometimes elect individuals who undermine their boards and frustrate other directors. These boards end up poorly managing their multi-million dollar not-for-profit organizations because they lack training and experience. Rather than protect their property and property values, they focus on lesser concerns.



This issue is not unique to the United States. In 2020, the Auditor General of Ontario reported that 69 percent of condo boards surveyed did not possess adequate funding for significant repairs, with some falling short by millions of dollars.

Ontario's Condominium Act mandates that Reserve Fund Studies be updated every three years by qualified building condition and reserve fund assessors. "Despite this, the study can still be incorrect 25 out of 30 times," says Jon Juffs, Vice President of Building Services at [McIntosh Perry Egis](#). "Many plans incorrectly base reserve

CONTINUED PAGE 18

FINANCIAL MANAGEMENT

DECLINE IN RESERVE FUND STRENGTH... CONTINUED FROM PAGE 17



contribution fee increases on retail price changes or the Consumer Price Index (CPI), which does not accurately reflect the cost of replacing common elements or undertaking major repairs in an occupied building."

The lack of adequate planning becomes an immediate crisis when a special assessment is levied. There is no more time for artificially low condo fees, and the illusion that such fees are sustainable is

needed property maintenance, despite the predictable and inevitable nature of physical and structural decline. Thus, it comes as no surprise when repair costs exceed the financial resources of a community and a special assessment in the tens of thousands of dollars becomes necessary.



Fund, study, plan. In Ontario, all condominium corporations need to have a separate reserve fund, get professionally prepared reserve

fund studies every three years, and implement a funding plan based on professional advice to build and maintain the reserve fund.

shattered. Eventually, all owners pay more than they would have if fees had been appropriately set. In Florida, some paid with their lives.

Though Ontario laws provide some safeguard against extreme building failures, abundant evidence suggests that communities continue to operate with insufficient reserve funds. These communities are destined to fail in the

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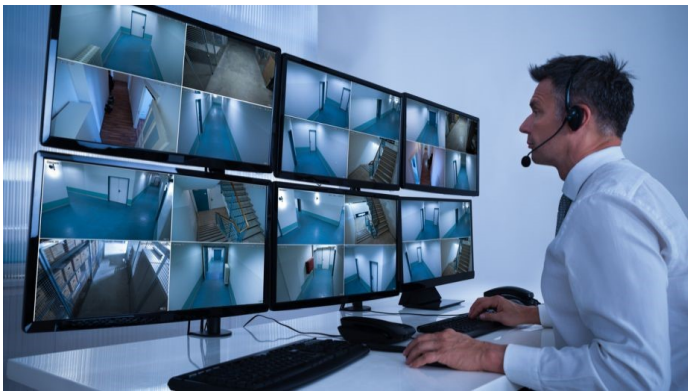


TECHNOLOGY-ENABLED BUILDING ACCESS



Building security and access issues have increased as more people find that their home is now also their office. There are new and greater demands on common areas, building management and security.

Residential communities are dealing with labour shortages and higher costs. There is a need to do more work than is possible with existing staff. The solution is to become more efficient.



Technology in high-rise communities was initially viewed as a solution for improving safety and security. Increasingly, it is now essential to improving the residential experience, management operations and communication.

New hardware and software provide solutions for virtually all residential and high-rise communities. Condo management software and apps have expanded beyond their essential management and communication features to include greater functionality. Building and unit access, guest access, package deliveries, video entry panels, virtual concierges, and self-guided and virtual tours are all features that increase convenience and deliver enhanced security.

More residents are using fitness rooms and equipment, and inviting guests. Landlord-owners and renters want to ensure their home is more

CONTINUED PAGE 20

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SECURITY, SAFETY & FRAUD

TECHNOLOGY-ENABLED BUILDING ACCESS... CONTINUED FROM PAGE 19

convenient and safer. More communities institute occupancy limits and encourage physical distancing which impact on amenity use. Without technology, individuals wanting to exercise must check the facility in-person to see if equipment or machines are available. It is more convenient and efficient for all if residents could check their building dashboard from home to reserve an available timeslot for the equipment, space or amenity they require. This



reduces the volume of people walking hallways, visiting the concierge and crowding in-demand spaces. It is safer and reduces the demands on security, cleaning services and building management. Overall resident experience and satisfaction levels improve.

Key cards and access fobs are easier to monitor and manage. They can be used for restricting access to certain rooms or identified individuals. Reporting features allow management to know how many are using a space at any one time, and identifying those who do not book access in advance. Time or individual restrictions on access to areas of the building, such as an exercise area, can be enforced with a fob system. Replacing mechanical keys with smarter, faster and more efficient smart access control makes residential buildings secure, easier to

manage and more efficient.

Dealing with real estate agents and home showings is a burden on building staff and a security risk. Potential purchasers and renters schedule a time to visit for a showing. They tour the entire property with their agent which is an intrusive process for building residents. Today there are self-guided tours using digital keys to limit staff and renter contact. Virtual tours, videos of units and common areas, reduce the frequency and duration of visitations.

Ordering food and online shopping means more people making deliveries inside a building. Locked doors and mechanical keys are an unnecessary barrier when a more convenient and equally secure solution is available. Many communities have a video entry panel where residents can see who is requesting entry. Residents can open the door for those making deliveries using their mobile phone or other electronic device.

Smart access solutions make managing buildings easier. Management and security can remotely open doors, control access to amenities and manage building access from their desk or office. Buildings and residents are more secure.



CONDO LIVING MISCONCEPTIONS



Condominium living is not the same as renting, single-family home ownership or living with parents. There is an administrative and governance structure unlike other forms of housing.

Renters and first-time homeowners can find it hard adapting to condominium living. When renting, everything gets done for them. It takes time to realize they are now responsible for the interior of their unit. When something breaks, they need to repair it. Those who like their music or parties loud, or choose to smoke, find that their neighbours disapprove. There are bills, property taxes and condo fees to pay. Those who ignore their obligations, or community rules, quickly learn the consequences.

“One misconception of condominium living by new owners is that the management company is the decision maker” explains Ryan Stone of [Summa Property Management](#). “It is the condo board that creates policies and rules. The role of management is to enforce decisions made by the board of directors.” In simpler terms, these are referred to as condo rules which govern everything from behavior in and access to common areas, to unit renovations. Anything occurring in a unit that impacts on other units or common areas is subject to enforcement. Individuals coming from a single-family ownership situation don’t realize that they don’t own the front door, which means it can’t be changed without permission. In a non-smoking building, smoking on a balcony or near a window is not allowed. When smoking is allowed, owners smoking in their unit are responsible for taking

measures to prevent smoke from bothering others.

When one speaks of common areas, most new owners think of the lobby, exercise room and party room. They fail to consider that their monthly fees are also used to maintain, repair and replace the building façade, roof, HVAC and boiler equipment, plumbing pipes and electrical systems. Hallways and a great many more visible and hidden areas of their building must be maintained.

One area of confusion is where privately owned space ends and common areas begin. The hallway door and walls define personal living space. Behind the walls it can be more confusing. When a sink gets clogged, there is a blockage inside the pipe which may be behind a wall. If the clogged section is within the unit, the owner must clear the blockage or repair the pipe, and pay the bill. If the problem resides beyond the unit, the pipe is owned by the corporation which is obligated to repair it. Many disputes arise when the owner is unclear about what they own and what is part of the common area.

Perhaps the greatest misconception is about money. First-time condo owners are unaware of how their monthly condo fees are spent, why the amount they pay each month differs from their neighbours, and the consequences should they fail to pay their fees as required.



Myth vs. Fact



THE IDEAL CONDO PURCHASE

Despite advice provided by real estate agents, purchasing a property is about far more than "location, location, location."

Regardless of your reason for purchasing, it is always important to understand the financial status of the condominium corporation you will become part of. If building infrastructure is in poor condition, you will eventually have to pay more in condo fees or special assessments to prevent the building or its systems from failing.

Prior to signing a purchase agreement, every prospective buyer is provided with a Status Certificate. This comprehensive document contains the condominium corporation's declaration, by-laws, rules, reserve fund status, certificate of insurance, audited financial statements, operating budget and other information. It will tell you if the current owner owes money for payment of condo fees or taxes, and recent unit renovations that may be problematic. Financials could show an inadequate reserve fund or debt situation requiring an increase in condo fees or special assessment. There may be one or more costly lawsuits involving the condominium corporation that may result in significant payments.

Documents that are part of the Status Certificate will address lifestyle considerations:

- Are pets allowed in the community
- Availability of parking and storage
- Is smoking of tobacco and marijuana allowed

The ideal condo for living differs from an investment purchase. When purchasing a primary residence, a larger unit provides more personal living space. Access to appropriate amenities is important. Look for those that are of personal interest or importance. If you have no intention of using a swimming pool, monthly condo fees will be higher since the amenity must be maintained regardless of your personal interest or use. A larger unit and more amenities increase both the purchase price and monthly condo fees. A better maintained community is more desirable to live in and will cost more to maintain.

When the purchase is for an investment or rental property, a larger unit is a more expensive purchase, appeals to more individuals and generates more rental income. A community with more and nicer amenities likewise makes the property appealing to more people and commands higher rent. It also means higher condo fees.

The ideal condo purchase is elusive. It varies depending on one's purpose, interests and income.



PEACE AT HOME



Each year at this time high-rise and condominium communities bring out their Christmas decorations.

In 2021, the Ontario Human Rights Tribunal was asked to decide if Christmas decorations are discriminatory. One non-Christian high-rise condominium owner argued that Christmas symbols were Christian religious symbols being given greater prominence over other religious celebrations during the same time of the year, and that she was being treated as a second-class citizen. She objected to lights on “Christmas trees”, red poinsettias and the “Christmas Holiday Fund” donations for the staff.

The owner believed the Corporation had to choose between acknowledging no religious holidays or providing equal recognition and inclusion for every religious holiday. This would require recognition of more than 50 holidays in November and December alone!

The Human Rights Tribunal noted that Christmas was as much a secular holiday as it was religious, and that decorations could be evocative of Christmas without being religious symbols. They found nothing wrong with festive lighting, poinsettias, tinsel or a “Christmas tree”. All of this can be done while being inclusive and respectful of the views of others. Other festive holidays and celebrations can be acknowledged if they pertain to resident demographics.

[Click here](#) to access the decision.



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Most residential parking spaces are not designed to accommodate oversized vehicles.

Larger vehicles can stick out beyond concrete pillars of the parking spot and obstruct roadways. Passing vehicles may be unable to make turns, see beyond the obstruction or safely pass through. Similar problems arise when an individual stores a second vehicle such as a motorcycle, trailer or boxes behind their vehicle.

Wider or poorly parked vehicles may impede passage or access to another vehicle.

It is reasonable for condo documents to require that any parked vehicle fit within the boundaries of the parking spot. Residents can be restricted from storing anything other than a single vehicle in an individual parking space.

A typical restriction in the declaration may be "The Owners of Parking Units must not permit any portion of any motor vehicle parked within a Parking Unit to protrude beyond the boundaries of the Parking Unit. No vehicle may encroach upon any portion of the Common Elements or upon any other Unit."

PARKING OVERSIZED VEHICLES

Condominium corporations can regulate the number, size and possibly type of vehicles allowed to park at the condominium through its declaration or rules, and enforce compliance with these governing documents. They may choose to allow or disallow the parking of multiple vehicles within the same parking space; and restrict the parking of commercial, heavy or industrial vehicles, and recreational vehicles such as kayaks or RVs. In short, they can restrict the size of a vehicle to fit in the parking space.

Similar to condo units, users of parking spaces should not impact on other spaces or common areas such as roadways.





CONDO FRAUD

I would like information on possible fraud committed by condo board presidents.

G. P.



Response from Toronto Condo News

You don't specify what you mean by fraud. This could refer to theft of funds or lesser actions that result in personal gain. Fraud can sometimes be confused with conflict of interest or kickbacks both of which are also improper.

Accusations of fraud should not be made without proof. It is not uncommon for condo residents to make accusations of fraud or conflict of interest

when unhappy with a specific condo director or board decisions.

Condo Archives maintains a **Condo Fraud** category under the [Financial Management](#) heading where you can read about a range of fraudulent activities including those involving condo board presidents.

Among the articles you will find there are:

- [What You Need to Know About Fraud Prevention in your Condo](#)
- [Preventing, Recognizing and Dealing with Condo Fraud](#)
- [Financial Record Keeping for Condo Corporations](#)

Articles in this area of the [Condo Archives](#) identify the many ways fraud can occur in condominium corporations, how to recognize condo fraud, what can be done when fraud is suspected, and warning signs of fraud.

Should you suspect condo fraud and lack the financial expertise to review corporation records, a forensic auditor can assist.

Best of luck.





Information and resources for the Toronto and GTA condo community

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