

## WHAT CONDO DWELLERS ARE READING



# RECORDINGS OF MEETINGS

Virtual meetings are easily recorded. Choosing to record meetings, possibly providing them to owners, and determining if they are records of the corporation are difficult decisions for which there is currently no single approach.

Annual general meetings and others involving owners are frequently being recorded when utilizing Zoom and other virtual meeting technologies. One reason for making a recording is to

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## FROM THE EDITOR .....



**Happy Canada Day** to everyone!

One of the nicer spring seasons in many years has transformed into what is expected to be the hottest summer on record. Judging from last year, fires elsewhere in the country could worsen the situation by, once again, delivering to Toronto some of the worst air quality in its history.

For condo and high-rise dwellers, comfort and health during this period will depend on how well your HVAC system delivers clean, cool and breathable air.

If your building has failed to keep up with HVAC system maintenance, be sure to catch up before environmental stresses cause your system to fail at what could be the worst possible time. In-unit filters should have been replaced recently and all systems should be checked.

Waiting until a system fails is no fun for anyone.

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## THE RISE OF PUBLIC TRANSIT

It has become clear that the world cannot handle so many automobiles.

Public transportation, one of the most immediate ways to reduce greenhouse gas emissions, is being embraced worldwide.



There has been a shift away from cars. Starting in 2024, New York City will try to reduce smog and traffic by charging private vehicles \$9 to \$23 to enter Manhattan's central business district during peak hours. Funds will be used to improve the city's subway system. London has had similar congestion pricing since 2003. Madrid banned polluting vehicles from most of the city years ago. Paris plans to ban most cars. In China, Beijing built 14 subway lines and 252 new stations between 2008 and 2016. Mexico City, Bogotá, and Quito all restrict cars from commuting on certain days according to license plate number.

Public transportation is one of the most immediate ways to reduce greenhouse gas emissions. It is cleaner, cheaper and often faster. A single subway car holds hundreds of people and tens of thousands pass through a single subway station per hour. Private vehicles carry one or two people.

Toronto and much of the United States provides around half of its downtown surface areas to automobiles. In European cities, it is 20 percent to 30 percent.



Toronto's approach thus far has not been to impose congestion

**CONTINUED PAGE 4 ...**



# URBAN TRANSPORTATION

## THE RISE OF PUBLIC TRANSIT... CONTINUED FROM PAGE 3



buses, dedicated bus lanes or a subway station. New subway lines and dedicated bus lanes are being built. Fare collection is faster and easier. The City has added bike lanes, widened sidewalks and created outdoor eating areas where there used to be lanes dedicated to cars.

charges or restrict cars from entering the city. The City is expanding and improving public transit while reclaiming some of the roadways once available for cars.

Nearly everyone in Toronto and the GTA has easy access to public transit at a fraction of the cost of owning and driving a car.

The key to this is efficient public transit. Toronto already has this and improvements are continuing. Depending on where you live there are larger

Condominium buildings are going up near subway stations. New buildings are planned along new subway lines currently or soon to be under construction. All will likely have less space for parking cars than older buildings. More of those living in these buildings are expected to rely on public transit.

It is getting harder and more expensive to drive a car into the city while public transit continues to improve.



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## RECORDINGS OF MEETINGS... CONTINUED FROM PAGE 1



assist in creating minutes of the meeting. In this context, recordings should be no different than personal notes taken by a

minute taker, or an audio recording, used in the preparation of official minutes. They are intended for temporary use and can be destroyed once minutes are approved.

Not everyone is in agreement that video recordings can or should be treated in this way.

Unlike written minutes which focus on business matters, recordings of entire meetings encompassing video and sound have multiple uses and capture information that may not be appropriate for sharing or distribution.

Recordings of virtual annual general meetings can improve accuracy. Meeting minutes are not approved by owners until the next annual general meeting a year later. By this time, nobody recalls what was said or promised so acceptance of draft minutes is typically automatic. Maintaining a recording of the meeting and providing owners with access can ensure meeting minutes are more reliable and that errors are corrected.

Recordings can be useful to owners unable to attend a meeting. They can hear what transpired or what was said rather than relying on sparse and less comprehensive information contained in

meeting minutes.

Once in existence, owners may request video recordings of meetings as records of the corporation. Providing them can be problematic. Some may question the accuracy or detail contained in meeting minutes which are official records of the corporation. These meeting minutes are not intended to serve as a verbatim account of a meeting. With access to a video recording, some may rely on wording or phrasing that has been taken out of context.

Treating video recordings of meetings as official records of the corporation potentially available to owners can have other unintended and undesirable implications. Meeting attendees uncomfortable with being recorded may not be willing to participate or speak openly at a meeting with the knowledge that whatever they say or do will be seen by those not in attendance. Debates and discussions may be less effective.

Until there is clear direction on the access or use of these recordings, it may be best to disable the recording feature during virtual meetings to avoid conflict. Once a record is created, it likely will have to be retained and made accessible to others under certain circumstances.

**This meeting is being recorded**



By continuing to be in the meeting, you are consenting to be recorded.

Leave Meeting

Continue



## **FIRE SPRINKLER WARNING**

Sprinkler systems are not for hanging clothes.

These systems hang from ceilings and are not designed to handle the weight of clothes or other items.

Should a sprinkler unit break, an enormous amount of water comes out with no way to stop it. The water is filthy, may contain debris, and will damage multiple units as it travels down to the lowest level of your building. Dirt, small pieces of metal and chemicals left in pipes since the building was put up will come pouring out.

One Toronto condo owner set off a fire sprinkler in his unit after hanging clothes from a sprinkler head. This set off the fire alarm while flooding his and several other units.

Fire sprinklers are part of a building's fire suppression system. They are to be maintained by management. Use of fire sprinklers for any residential purpose can cause damage and put others in danger when a fire emergency arises.





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## PREPARING AND READING A STATUS CERTIFICATE



FORM 13  
STATUS CERTIFICATE (UNDER SUBSECTION 54(1) OF THE CONDOMINIUM ACT, 1998)  
Condominium Act, 1998

Name of condominium corporation/Condominium Corporation No. \_\_\_\_\_  
Becomes as the "Corporation" certifies that as of the date of this certificate:

**Instructions for a common element condominium corporation:**  
If the Corporation is a common element condominium corporation, change all references in this certificate to terms in Column 1 as referenced to the terms in Column 2.

Column 1	Column 2
UNIT	unit(s) owned by the Corporation
Common element	the portion of a common element in the Corporation

**General Information Concerning the Corporation:**

1. Mailing address: \_\_\_\_\_
2. Address for service: \_\_\_\_\_
3. Name of property manager: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone number: \_\_\_\_\_
4. The directors and officers of the Corporation are:

Name	Position	Address for service	Telephone Number

**Common Expenses:**  
If the Corporation is the condominium corporation for a common element condominium corporation:  
8. The owner of Unit \_\_\_\_\_ Level \_\_\_\_\_ (Suite number) \_\_\_\_\_ (Address), registered in the Land Registry Office for the Land Titles (or Registry) Division of \_\_\_\_\_ (jurisdiction), is the owner of the common element in the Corporation started in \_\_\_\_\_ (provide description, as set out in Schedule D of the declaration, of the portion of land to which the common element in the Corporation is attached), registered in the Land Registry Office for the Land Titles (or Registry) Division of \_\_\_\_\_ (jurisdiction) as the "Part(s)".  
(Strike out whichever is not applicable:  
is not in default in the payment of common expenses.

The status certificate provides prospective buyers with information to make an informed decision about purchasing a condominium unit. A status certificate package, of which the status certificate is one component, can be hundreds of pages. It includes information about the finances of the condominium corporation, ongoing legal proceedings, proposed changes to the common elements, and other matters. There may be information about money owed to the corporation by the current unit owner or improper renovations.

An error or omission in a status certificate can prevent a condominium corporation from collecting a special assessment or monthly common expense from a new owner. Information in the status certificate is only valid as of the date it is prepared. That five-month-old status certificate would not have information on a special assessment that had not been announced or major repairs identified at a later date. Had the prospective buyer obtained a current status certificate, they would probably not have been responsible for paying the special assessment.

### Preparing the status certificate (Condominium Corporations)

Status certificates are usually prepared by the condominium manager. Each should be reviewed by a second person with knowledge of the corporation and its records such as a current director before it is completed and delivered to a purchaser.

Prior to purchasing a condominium, prospective buyers are provided with a status certificate. To speed up the process for selling one unit, the seller obtained a status certificate prior to listing the unit for sale. Two months later the unit is purchased, which was three months after the status certificate was prepared by the condominium corporation. The status certificate was five months out of date.

Soon after, a special assessment in the amount of \$30,000 is assessed for necessary repairs not identified on the status certificate.

**CONTINUED PAGE 8 ....**

## PREPARING AND READING A STATUS CERTIFICATE... CONTINUED FROM PAGE 7

If a special assessment is anticipated but not yet certain, this should be noted on the status certificate. Deliberately hiding this information could make the corporation at fault for failing to disclose relevant financial information.

Include some detail in the status certificate such as restrictions on pets or smoking that would make a community inappropriate for some.

**Reviewing the delivered status certificate (Prospective Purchasers)**

Typically, the seller has 10 days to deliver the certificate and package after an offer is accepted. The potential purchaser then has two days to review the documents and possibly make requests or recommendations.

Review the status certificate. While it may be difficult to read and voluminous, it contains important information impacting what can be your single largest purchase. Do you smoke, have a pet, require storage space, or need parking for one or more vehicles? Your personal requirements are unique. Without reading the status certificate, you will not know if the unit and building has what you require.

The current owner may have outstanding condo fees or taxes that must be paid. Illegal or unapproved renovations could be the responsibility of the purchaser if the corporation requires a suite be restored to a previous condition. Unapproved renovations may have caused damage to or removal of a load bearing wall which is expensive to

repair. Awareness of a prior fire or flood may impact on a purchase offer. Financials may 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 corporation that may result in significant payments.

***Making such an expensive purchase without having a lawyer review the document is an unnecessary risk with so large a purchase***

Have your lawyer review the status certificate. Making such an expensive purchase without having a lawyer review the document is an unnecessary risk with so large a purchase. The cost of a review is nominal in relation to the purchase price and can avoid unnecessary future problems.

**Never rely on an old status certificate. Make sure its date is current.**

Act on any warnings in the status certificate. If there is a major repair project planned or in process, ask for documents so you are aware of the timing, cost and if the reserve fund can support this work without a special assessment.

**Purchase title insurance**

Title insurance provides protection against a variety of potentially expensive issues. It may even cover the cost of a special assessment announced shortly after you purchase the unit.

The status certificate and package is provided to protect purchasers of units in condominium communities. It works best when the certificate is current and the package is read in its entirety by the prospective buyer and their lawyer.



## DEMOCRACY IN ACTION

### *Holding Condo Elections*



Condominium governance is one of the most basic forms of democratic governance. Condo directors are granted authority by owners who elect them. Those individuals who obtain the greatest number of votes are elected.

The specifics of how elections are conducted, their frequency, rights and obligations of those elected, and the rights of owners are detailed in a series of governing documents that include the Condo Act (Ontario), declaration, by-laws and rules. Among these requirements, an annual meeting of shareholders in the corporation is required, called the Annual General Meeting (AGM). Directors are elected at the Annual General Meeting. Elected directors serve for a fixed term as stated in governing documents with three years being the most common.

The condo board is comprised primarily of elected directors. They may choose to appoint additional people to the board. This group has authority to run the entire operation for your community. To help them do so, the condo board typically employs management services to help and guide them with everything that is required. These management services, which include a manager, are tasked with doing those things that a volunteer board lacks the time, skills, expertise or interest to handle personally.

#### **The Voting Process**

Considering the trust and authority granted to an elected condo board, the voting process is important. There are requirements for when notice

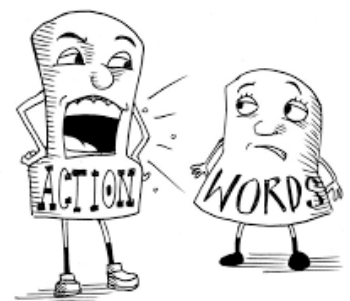
of a meeting must be sent out, details on number of directors being elected and the names of candidates. Details on how to vote are provided which include in-person at the meeting, prior to the meeting or by proxy. A proxy is how an owner authorizes someone else to vote on their behalf. The proxy has become less important with the advent of electronic or online voting which allows owners to vote over an extended period from wherever using an online system accessible over the internet.

Voting ballots are retained for a period after the vote so they can be reviewed should there be any concern or dispute regarding election results.

In practice, all of this can become complex and confusing. A condo board may refuse to hold elections. Ballots or proxies may be forged or improperly completed. There may be errors counting ballots.

Those governing documents mentioned earlier identify rules and procedures to address most complexities and conflicts.

Democracy can be messy, confusing and problematic. It is also the best system we have and it works better than all other systems that have been attempted.





## CONDOMINIUM MANAGEMENT HEROES

Most of the time, the job of condominium manager is boring. The daily job entails ensuring repair and maintenance work gets done, inspections are undertaken, packages delivered, staff supervised, and resident concerns responded to. Doing one's job proficiently rarely gets acknowledged.

Managers feel achievement and get recognized when they have done something good for their clients. They may have solved a problem, saved a substantial amount of money, or helped resolve a dispute before it turned nasty.

Those who do the best work, under extreme pressure and the most difficult of circumstances, are rarely recognized for their efforts.

We recognize those communities where condominium managers have been forced to deal with the most extreme of circumstances that few managers have ever had to contend with.

Tragedies do strike without notice.

In 2006, a small private plane piloted by New York Yankees pitcher Cory Lidle crashed into Belaire apartments on New York's Upper East Side. Among first responders was the building's manager who worked with other first responders to ensure the building was evacuated. Two people in the plane died in the crash. A few building residents suffered mostly minor injuries. The crash severed a

gas line on the upper floors. There was a fire and major water damage to all 30 floors. Fires were put out. There was a large insurance claim and some units were uninhabitable for eight to 12 months. All damages were repaired with some sections being rebuilt.

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## CONDOMINIUM MANAGEMENT HEROES... CONTINUED FROM PAGE 10

In 2012, during Superstorm Sandy, a Brooklyn building was nearly completely destroyed. Street and lower levels were entirely destroyed from flooding including the basement level elevator motor and electrical rooms. An external generator allowed elevator and electrical service to be restored quickly. Rebuilding took months.

In 2021, Surfside condominium collapsed in Florida. Owners didn't believe their home was at risk of imminent danger and balked at paying maintenance and repair costs. The structure was allowed to weaken due to exposure to moisture and lack of regular care, and developed weaknesses that resulted in the building collapse. Management had no choice but to deal with challenges few are prepared for.

Most recently, in December 2022, a resident of Bellaria Residences in Maple, Ontario targeted current and former directors of this community. He travelled floor-to-floor to shoot and kill five individuals before being shot to death by police. This tragedy, and its aftermath, tests the skills of even the most competent managers.

When tragedies such as these occur, homes are destroyed and lives disrupted. Managing resident expectations is crucial along with superhuman logistical management. Patience turns to frustration when people are unable to move back home. Success is measured by how quickly people can get back into their homes, return to everyday living, and everything is back to original condition.

No level of training prepares condominium management for these extreme situations. A condo board that obtains good management, trains them, provides effective communication and management tools, and is always looking for what can be improved on is the best way to ensure management is prepared to deal with whatever may arise.

How quickly a community rebounds from tragedy depends on how prepared they are. A good condominium manager, an effective condo board and superior communication come together when times are good. They become essential when tragedy strikes.



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## PHONE MANNERS

It has become increasingly difficult to reach a real person on the telephone. Despite everyone carrying their personal phone with them at all times, many prefer not to answer it. Some never check voicemail and assume anyone they want to interact with will send an e-mail or text.

Telephone contact is discouraged by business and government phone systems making it difficult or impossible to speak with someone. They prefer for you to get your information by navigating the phone system and listening to audio recordings. Even better, read information on their website or use the chatbot - an online chat system - which requires us to interact with a computer system unable to understand the reason for an inquiry rather than conversing with a real person.

Nobody is satisfied with these systems which force them to spend hours on the phone or computer when a short conversation would resolve an issue or inquiry in a few minutes.

Organizations, under pressure to service more people or deliver better financial results seem to feel these systems are helpful. Most disagree. There has yet to be an effective technology eliminating the need for personal interaction.

A Forbes Inc. survey of business owners in 2021 found that more than half (56 percent) said the most popular way for their customers to contact them was by telephone. Technology is not replacing the need for direct personal interaction.

There is a role for internet, e-mail, websites, condo management software and texting in communicating and working with condominium residents.

These tools help to inform, educate and communicate. They do not replace the need to converse.



Knowing how to interact verbally, in person or by telephone, is an important skill. Good communicators know how to greet people, use words and tone, and listen. They provide a good first impression conveying knowledge, experience and empathy. Telephone communications are more difficult than meeting in person since there is no body language or nonverbal signals.

Poor verbal communication can lead to frustration, dissatisfaction and conflict. It can be more difficult to identify underlying causes or issues leading up to a call.

### Phone Etiquette Tips for Condo Management

- Answer calls within three rings. Letting calls go to voicemail when you are in the office is disrespectful.
- Answer the phone with a pleasant manner while mentioning the name of your community and personal name. Smiling when speaking on the telephone helps improve your tone even when unseen.

**CONTINUED PAGE 13 ....**

## FREE SPEECH RESTRICTIONS



In a single-family home, owners can do what they want when it comes to how the home looks. They can paint it any colour, display holiday decorations all year, play music so loud it is heard on the street or use bright lights that disturb neighbours. Condominium living places restrictions on these activities to maintain peaceful enjoyment and maintain property values. Is there a point where individual rights of speech or expression are unreasonably restrained?

When accepting community or condominium living, one agrees to give up some rights. There is a clear distinction between what is done in a unit and what can be seen, heard, smelled or impact on other units or common areas. Clearly stated community standards are to be maintained by all residents.

The Canadian Charter of Rights and Freedoms guarantees the right to freedom of speech ... to a point. Condo boards will enact rules that prohibit lawn and window signs from being placed by owners. Condominiums are private property and owners voluntarily purchase their unit subject to

governing document restrictions.

The National Flag of Canada Act was created to encourage Canadians to proudly display the National Flag of Canada in accordance with flag protocol. Any condominium corporation or other multi-residence community prohibiting flying of the Canadian flag is prohibited.

A condominium corporation can enact rules governing display of the Canadian flag on condominium property. Allowable rules include:

- Limits on size of the flag and number of flags displayed;
- Designating where flags can be displayed on the property;
- Requiring faded and tattered flags be removed; and
- Requiring that flags comply with flag protocol etiquette and rules.

The Act does not convey a right to display flags of other countries, or sports banners and logos.

### PHONE MANNERS... CONTINUED FROM PAGE 12

- Never interrupt someone when they are speaking.
- If you have to interrupt a conversation to deal with another matter, use the hold button. Muffling the phone piece with your hand may not be adequate to keep that conversation quiet or private. If the matter will take more than a minute, ask the caller if you can get back to them in a few minutes.
- When conversing, ask questions and take notes. Be sure you understand the problem and their hoped-for resolution.
- When a resident has a concern, always tell them what your next steps will be, and when or how they will hear back from you.

## CEASE AND DESIST LETTER



You have received a “cease and desist” letter advising you to discontinue conduct or allegations.

You may have received this letter because of certain actions by you that are against your condominium corporation declaration, by-laws or rules, or the law. You may have been smoking, making excessive noise, disposing of garbage inappropriately or harassing neighbours. The situation may be minor or serious depending on your perspective and that of your corporation or neighbours. If you fail to comply, the corporation may take certain actions against you.

It may be that you have received this letter because of entirely valid statements or actions that are supportable by documentation in your possession. The letter may have been sent as a scare tactic to silence you about speaking of corporation or board actions that are improper or which the board chooses not to disclose.

The important point is to not undertake actions or make statements that are not supportable. Support based on opinion or something told to you may not justify your actions. There should be written documentation in the form of the Condo Act, corporation governing documents or correspondence in your possession to support your position or actions.

Should you receive a “cease and desist” letter, determine its validity before deciding on a course of action.

## ELECTRIC VEHICLE FIRES

Electric vehicle fire incidents are increasing.

Electric vehicle fires are less common than gas-powered car fires. When they occur, these fires are different and can be more difficult to extinguish.

Electric vehicles contain lithium-ion batteries, similar to those used in many household devices but much larger. When damaged, these batteries can cause a chemical reaction leading to uncontrollable self-heating, described as “thermal runaway.” This can occur when a battery gets punctured.

Once a battery fire starts, it can quickly spread between battery cells while burning hotter than gas fires and be more prone to re-igniting. Lithium-ion battery fires don’t require oxygen to burn so can be harder to extinguish. They can require 20 times more water than a comparable gas fire.

Larger electric trucks and SUVs require even larger batteries which cause larger, hotter and more difficult to extinguish fires.





## THINGS YOU THINK ARE RECYCLABLE



Not everything placed in a recycling bin can be recycled. Here are some things that do not belong.

**Some Takeout Containers** - Take-out and other cardboard containers with grease or leftover food particles do not get recycled. They can damage or contaminate other recyclable materials.

**Plastic Bottle Caps** - Plastic bottle caps are usually made using a type of plastic that can't be recycled.

**Some Paper Products** - Paper towels, tissues and napkins are considered too contaminated to be recyclable. Boxes used for frozen foods can contain a coating that can't be broken down properly in the recycling process.

**Plastic Grocery Bags** - These are not recyclable.

**Wire Hangers** - Most recycling facilities are not set up to deal with wire.

**Ceramics** - Broken dishes, coffee mugs and other ceramics belong in the trash.

**Some Types of Glass** - Pyrex baking dishes, light

***Paper towels, tissues and napkins are considered too contaminated to be recyclable***

***Styrofoam - coffee cups, food containers and packing peanuts - cannot be recycled and does not biodegrade***

bulbs, mirrors and eyeglasses are among the glass items that should not be recycled.

**Styrofoam** - Styrofoam cannot be recycled and does not biodegrade. Try limiting your use of styrofoam coffee cups, food containers and packing peanuts.

**Shredded Paper** - Shredded paper can be a problem for recycling facilities since it is difficult to sort.

**Some Drink Cartons** - Only juice and other cartons with the recycling symbol on it can be recycled. The plastic coating on many containers make them unsuitable for

recycling.

**Colored Paper** - Heavily dyed paper has been heat treated which can make it unrecyclable.





## SPECIAL ASSESSMENTS

### *Yet Another Case Study*

As more  
condominium  
communities

implement large special assessments to pay higher expenses, more condo owners will be forced to sell and move.

Many clearly benefit during the first fifteen years of a condominium building's life when condo fees are too low. When repairs and other expenses begin to increase after about fifteen years, and peak after 30 years, those living in the building at the time pay the cost. If building infrastructure is allowed to worsen for another ten years, the situation worsens.

One 40-year-old condominium community faced a special assessment of between \$15,000 and nearly \$30,000 depending on unit size. The assessment was passed on May 15 with half to be paid by June 30th and the full balance due on July 31st. The same notice explained that monthly fees would nearly triple. Up to 70 percent of owners are expected to move out within six months. Those unable or unwilling to sell and move, and unable to pay will be faced with additional costs. Condo fees had not been increased to match rising costs, leading to a staggering \$17 million shortfall in reserve fund funding. Owners "failed" to notice the shortfall of funds in their corporation's accounts over many years. The consequences of underfunding have caught up with the need for maintenance and repairs for this community. Owners are working on

recalling current directors which will do nothing to resolve the current financial shortfall.

It is not surprising when monthly condo fees in these communities are substantially increased and a major special assessment is imposed. Many long-time owners are forced to move out and to sell their homes at a significant discount to compensate for these higher costs. Condo loans are appealing because so many find they are unable to obtain funds necessary to pay for a special assessment.

All this disruption is unnecessary and can be avoided by ensuring monthly condo fees are set at a level ensuring proper maintenance, repairs and system replacements are undertaken when they become necessary.



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- 4** Capitalization of Undermaintained Reserve Fund

## CONSUMER ALERT

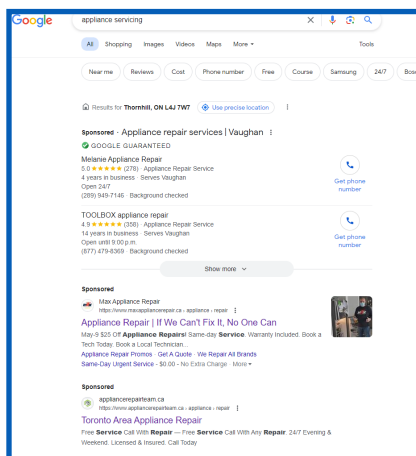
### *Appliance Servicing*



When an appliance stops working, it can be difficult deciding if it is best to repair or replace it. For major appliances, the first step is to have a reliable appliance repair specialist diagnose the problem and provide a repair estimate. Depending on the cost, a decision is made to repair or replace.

A great deal of trust is placed on the integrity of the specialist who should be capable, truthful and offer good advice. Trusting the first company appearing in a Google search is ill advised.

In today's world, we rely on the internet to find virtually anything required including appliance servicing. For consumers, this convenience comes with risks for those failing to do basic research.



After one Toronto woman's clothes washing machine stopped working, she searched the internet for appliance repair services and saw the accompanying screen. Unbeknownst to her, the top of her search results displays companies

that pay to ensure their listings appear at the top. Without further research, it is impossible to distinguish between good and bad service companies.

The woman contacted one of these companies without undertaking research. This was a mistake.

The company she contacted has a history of problems documented by [hundreds of negative reviews and a poor service rating](#). The [Better Business Bureau](#) has a current alert for this business that states "BBB files indicate that this business has a pattern of complaints concerning service and repair issues. Specifically, consumers allege that the company is unable to properly diagnose and repair appliances effectively, there is a lack of follow-up and resolution to issues, and the cost of parts is grossly inflated." BBB further notes that "Consumers are advised by the company that a service call will cost \$80 however, once the service technician arrives, that amount is increased to approximately \$300 to diagnose the issue. The consumer is then told the appliance can be fixed and they are given a repair agreement which outlines the cost of labour. When the document is signed, the work begins and upon further inspection new parts are required and the repair quickly escalates in price. In many cases the repair suggested to the consumer is ineffective and the appliance is still not in working order." Additional warnings about the company can be found from [CTV](#) and [CBC Marketplace](#).

The woman paid an initial \$295 labour fee for diagnosing the problem which is excessive compared to the many similar services charging less than \$100. The total repair estimate came to nearly \$1,400, considerably more than to purchase a new

**CONTINUED PAGE 18 ....**





## COMPARING HOAS AND CONDOMINIUM CORPORATIONS

Many Canadians seeking respite from colder winters choose to snowbird in Florida. While some rent for a month or season, many choose to purchase in a Home Owners Association (HOA).

On the surface, HOAs are similar to condominium corporations. Both pay fees to maintain properties but this is where the similarities end. A condo corporation has interior spaces to be maintained for amenities such as exercise room and/or swimming pool, elevators, parking, and systems for heating, cooling and water. Windows and building exterior need to be maintained. Fees are established at a level that supports the infrastructure.

An HOA can be larger and comprised of thousands of homes and more amenities supported by fees lower than in a condominium corporation. Owners are responsible for everything in the home including repair or replacement of roofing, cooling, heating and water systems. Owners are responsible for the cost of maintaining their entire home to a standard established by the HOA whereas condo owners have a more limited responsibility.

The larger size of an HOA in comparison to a

condominium corporation means that more are paying for shared expenses. These fees can be used to support a broader array of activities and services rather than go towards maintaining elevators, walls, windows, roofs, heating and cooling systems, or general home maintenance.

Fees are lower for HOAs because so many more maintenance obligations are paid by owners in addition to their monthly fees.

Maintaining outdoor spaces can be less costly than those interior spaces found in condominium buildings. Another consideration is that HOAs are less likely to maintain a reserve fund capable of maintaining facilities as a community ages. For a Canadian snowbird spending three or four months of the year in Florida, there is a 12-month commitment to maintaining the property and paying those monthly fees, and the lower value of our Canadian dollar.

Owning a home in a HOA can be a great respite from the cold and snow of winter. Before doing so, make sure you are aware of the financial commitment.

### CONSUMER ALERT - APPLIANCE SERVICING... CONTINUED FROM PAGE 17

machine. Yet the technician advised her to replace a nearly 20-year-old machine for which parts would have to be ordered and final repairs taking up to an additional 30 days. Finally, the only acceptable forms of payment were cash and debit.

There are many reputable appliance service companies to call on. Research prior to contacting a servicing company can save hundreds or thousands of dollars over working with one that is less reputable.

## USE OF COLOUR IN RESIDENTIAL BUILDINGS



Colour affects behavior. We know that use of colour in public and private spaces can change the mood and perception of people. Casinos utilize unusual colour combinations to promote comfort and make their guests lose track of time. Schools, hospitals, restaurants and hotels all use colours to alter perceptions. That yellow McDonald's logo and scheme is designed to make you hungry.

Blood pressure rises in a red room. Yellow rooms can cause headaches. For a sense of calm blue is good, and green helps people to be more articulate.

The impact of colour affects residential living environments. Planning a building-wide colour scheme is a major undertaking that residents will have to live with for a long time. The chosen colour scheme needs to work well 15 years into the future so chosen colours need to be those residents don't tire of.

Residential buildings work best with a colour scheme designed to make residents comfortable living there. When updating common areas, choice of colour can improve the use and enjoyment of spaces.

Hallways should create a sense of comfort and safety. Neutral colours work well - brown, taupe, gray and white - with an accent color. The lobby can be a mix of warm and cool colours. Warm colours for furniture with brighter pillows or cushions. Area rugs can be a combination of colours. Wood is always more welcoming than steel and chrome. Always stick with classic colours while avoiding bright reds and oranges.

Consider the building's residents. Artists appreciate something more creative and fun. Doctors, lawyers and business professionals are more conservative.

### What is Toronto saying about Toronto Condo News?

"Great publication.

I look forward to the issues and I save them on my iPad for future reference."

"I think it is important for all condo owners to know this information."

"I really appreciate your excellent choice of stories; they are uncannily right on the mark as to the interests of condo owners and directors."



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## DEALING WITH NOISE COMPLAINTS

Loud noise and vibration from a building garbage compactor and chute can be disruptive, and one of many noises residents find disconcerting. Asking residents not to use the garbage chute at night is unlikely to be adequate. One condominium corporation paid \$30,000 in damages for failing to complete remedial work to eliminate garbage room noise.

Poorly maintained HVAC and elevator systems can be overly loud and cause vibrations in units, hallways and throughout a building. In-suite activities combined with poor sound control efforts allow music, children playing, exercising and other noise to travel into other units.

When a condominium corporation receives a complaint about excessive noise, they are required to investigate to determine if the noise can be verified, and if it is excessive. If the noise emanates from a unit and is unreasonable, the corporation can require or enforce compliance against the owner of a unit that causes the excessive noise.

If the noise investigation is made by professionals on behalf of the corporation, these costs cannot be charged back to an individual owner. The resulting report would likely include recommendations to address the noise issue.

Owners should inform management of noise complaints when excessive noise is heard, ideally while the noise is occurring. On receipt of a complaint management, security or other corporation staff should check the unit or area and independently verify the complaint.

A written incident report should be prepared stating the result of the independent investigation. The incident report should include:

- Date of the complaint and investigation;
- Name of the resident who reported the complaint;
- If the complaint was verified by security or management at the time it was made;
- Name and role of the individual who verified the complaint; and
- Actions taken to address the complaint.

Depending on the outcome of the investigation, the corporation may take certain actions in response to noise complaints:

- If noise levels are within a reasonable standard, no further action is necessary.
- Undertake repairs to common areas if the noise emanates from common area equipment.
- Rules may be implemented to address certain issues causing the noise.
- Non-compliance letters may be sent to owners of units where noise is originating, and requesting compliance.
- The corporation may deliver notices to residents reminding them of their obligation to not interfere with the use and enjoyment of common elements and units by other residents.
- Instruct security to monitor hallways and units for non-compliance, and enforce rules to control excessive noise emanating from units.



## PROPERTY ACCESS SYSTEMS



Technology has transformed how we live and work. Property management technologies have allowed unparalleled control and access among those who live and work in our high-rise homes. Communities slow to embrace these technologies are missing out on enhanced security, time-saving benefits and opportunities to reduce costs.

### Building Security

At one time, building security meant a push-button intercom connected to in-unit buzzers. Residents had to be home to allow guests, service providers and delivery services into a building. Each unit door had a traditional lock requiring a metal key that had to periodically be re-keyed or replaced. Today, communities use an integrated and secure system.

Access control systems provide convenient and secure property-wide access using multiple entry methods. Residents have a fob or card to open doors throughout the building. They can open the front door while on a video call to a video intercom at the front door or gate. Vehicles enter the parking area after passing a vehicle identification system that reads a windshield sticker.

Keypads and card or fob readers at all access points and connected to your control system ensure only authorized users can navigate the building without restricting access for residents. Installing a similar system in elevators control access to each floor. When there are usage fees for access to certain amenities, systems allow management to restrict

access to those who have paid the fees. They can restrict access for those who are not current in paying their condo fees. Smart locks on unit doors protect individual units.

Systems are easy to set up, update and use. Mobile-based systems allow residents to access spaces using their smartphone to unlock doors and gates from anywhere. Security and management know who is accessing any door at any time. Once a resident grants access through the front door, the system can open doors for accessing an elevator and allow them access to the proper floor.

These systems have lower operating costs. Software updates are automatic and hardware maintenance is minimal. The cost of rekeying locks is eliminated.

The need for overnight security is reduced or employees can be redeployed to focus on property security. Residents using the system can monitor their visitors and control access.

### Package Security

Most high-rise communities struggle to deal with package volumes, missed deliveries, package theft and dealing with the constant flow of delivery people.

Communities that accept packages for residents rely on their condo management systems which maintain records on every unit and resident, and

**CONTINUED PAGE 22 ....**



## PRACTICAL TECHNOLOGY FOR SENIORS

Amazon recently announced the introduction of technologies in Canada called Alexa Smart Properties which are being tested in Orleans, ON.

Seniors in assisted living facilities are having an Amazon Alexa smart speaker placed in their room. They use this to control basic functions such as turning lights on and off, calling family members, playing music and hearing announcements. Speakers are linked to a central system allowing the facility to customize features for local needs.

This Amazon experiment at integrating technology into homes of seniors is promising. Speaking to the system is easier than typing on a keypad, getting up to reach a light switch or listening to garbled voices on an intercom system. Before going outside, seniors can ask Alexa if they need a jacket or if it is

going to rain. Saying "call my daughter" and conversing without having to find or reach a telephone is more than a convenience. It can be a necessity for those with visual, hearing or walking difficulties and wanting to remain independent. The system can remember personal passwords for accessing e-mail, banking and newspaper accounts.

This use of technology offers seniors greater control without having to work harder or learn new skills.

Technologies such as this can help seniors remain independent and capable in their high-rise homes. Family members and building management can be more comfortable knowing that older residents in a building are less isolated and more capable of functioning on their own.

### PROPERTY ACCESS SYSTEMS... CONTINUED FROM PAGE 21

manage receipt of packages, plus notification of residents and package retrieval. Communities that do not accept packages for residents can install smart parcel lockers connected to a lobby intercom system used by delivery personnel.

Residents required to directly receive their delivered packages can communicate with the delivery person using a video intercom at the front entrance to ensure they gain access to the building and complete the delivery even when there are no onsite personnel to open the front door or the recipient is not home. Instructions can be provided on where to deliver a package rather than leaving it

in the building's lobby.

Property access systems can be updated for owners, residents, and short- or long-term tenants. They can be integrated with your existing condo management software and smart locker systems.

Property access systems are designed to make your property safer and give residents peace of mind while allowing authorized access without difficulty. They reduce operating and maintenance costs, and help lower condo fees while making a property more appealing and valuable to future owners.

## ONE CONDO OWNER'S EXPERIENCE WITH AN EV CHARGER INSTALLATION



New residential high-rise buildings are required to support electric vehicle charging systems. According to the code, “not less than 20 percent of the parking spaces in the building must be provided with EVSE” and “remaining spaces must be designed to permit future EVSE installation.”

This ensures those in a new or recently completed building will have access to an electric vehicle charging system. For those living in most buildings, owning an electric vehicle comes with charging challenges. Here is the process followed by one condo owner to obtain a Level 2 charger system for their vehicle in their parking space.

### Verify Existence of Basic Charging Infrastructure

Before a charger can be installed, a building must have adequate electrical infrastructure. This means there must be sufficient electricity being delivered to the building. Without this capacity, there are no practical options for installing an electric vehicle charger. This information can be obtained from building management, possibly in the form of an engineering report.

Once electrical capacity is confirmed, an engineering company undertakes a study to determine what it takes to build a distribution infrastructure if one does not yet exist. The cost to the corporation can be hundreds of thousands of dollars. In this specific situation, the cost was \$300,000. Reserve fund money can be used for this project. Since few communities incorporate this work in their reserve fund study, funds get recouped through higher condo fees in future

years.

### Application to Install and Employing Electrician

Once the infrastructure is in place, a community should have an electric vehicle charging policy. An owner makes an application to the condo board for approval to install a charger. Then an electrician is employed by the owner to do the installation.

Prices vary so it is best to obtain multiple quotes. Depending on the electrician and how they plan to do the work, costs can range from about \$5,000 to \$10,000. The application and quote processes can take two or more months before work commences. Physical installation can be completed in a day.

### Installing the Charger and Ongoing Costs

The charger becomes part of the building's physical infrastructure which requires certain legal documents to be signed. Legal costs can be about \$350.

The charger must be installed and connected to a meter which costs about \$5,000. There is a monthly service charge of about \$10 for metering, in addition to the cost of electricity used which is about \$4 per charge.

Financially, an electric vehicle can make sense for a condo or high-rise resident driving 30,000 kilometres a year. If you use the car primarily for city driving, it can be difficult to recoup the \$5,000 to \$10,000 it costs to have a charger installed in a parking space.

# FINANCIAL MANAGEMENT



## OBTAINING CONDO LOAN DETAILS

Last year our board passed a borrowing by-law as we had major repairs that needed to be done. Very little of it would be paid by funds from the reserve fund.

As unit owners are we not entitled to know loan details including amount, interest rate and repayment terms?

We do receive details on our reserve fund status and increases in maintenance fees. Why not loan details?

What law protects management and board from not revealing this information to us?

E. K.

### Response from Toronto Condo News

The condo board has authority to arrange a loan if one is deemed necessary. This usually occurs when condo fees are set at too low a level and the reserve fund has not been adequately funded.

This decision would occur at a board meeting and require a vote of directors. You should be able to find this information in the meeting minutes which can be requested at any time.

Each year you receive audited financial statements which should also include this information.

If your community has need of a loan, there are many other questions that should be asked which include:

- How will this affect monthly condo fees going forward?
- Is the loan amount sufficient for all necessary work? If not, what additional monies are needed and how will it be obtained?
- What is the status of the reserve fund? Is it adequate for future needs? If not, what measures can be expected to bring the reserve fund to a suitable level?
- How did we get to this point where a loan is necessary and how can we ensure future loans will not be required?

Requiring a condo loan likely means there have been serious problems in your community for many years. It is better to understand what has happened and take measures to correct the problems than remain in the dark.

See [Special Assessment vs. Condo Loans](#) in the [Condo Archives](#) for options to a condo loan.

Best of luck.







## AUTHORIZED SIGNING AUTHORITY

I am a director - Treasurer for over 15 years in the building where I reside.

If a Board member with signing authority and President are absent at the same time for a number of weeks, who has signing authority?

We learned that our property management company took it upon themselves to sign cheques. In our building, signing authority is restricted to three board members.

Is it legal for the property management company to take it upon themselves to sign cheques? As the Treasurer, I was never consulted nor aware of the invoices or cheques.

L.

### Response from Toronto Condo News

We cannot state if this is legal but can provide guidance on how to proceed.

If someone not authorized to sign cheques is doing

so in your condominium corporation, there is a risk that fraud is occurring. If this is the situation, you should be contacting the police as a first step. Your corporation's legal counsel may be able to advise on how best to proceed. Before jumping to this conclusion, some additional research needs to be undertaken.

Signing authority is based on arrangements made with your bank. If the bank is allowing improperly signed cheques to be processed, speak with your bank manager to identify who has signing authority. If cheques are being signed by someone not authorized to do so, the bank can probably provide advice on how to proceed.

Check your contract with your management company. Perhaps you have given them authorization to act as a signatory when others are not available.

If your property management company has been signing cheques without proper approval, and these cheques were for proper invoices, it may be best to handle this as an internal matter. Inform them in writing that they have no authorization to sign cheques, or give them notice and find a management company you are better able to work with.

It is a best practice to have one person prepare cheques based on invoices, and for another (usually the treasurer or, in their absence, the president) sign them after re-checking the invoices.

From your description of the problem, at the very least there is a breakdown of communication and poor accounting practices that are occurring. This is something that should be looked into as quickly as possible to ensure no fraud is occurring.

Best of luck.





Information and resources for the Toronto and GTA condo community

Serving Condominium Residents, Directors and Management



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