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

SOUTH ALBERTA CHAPTER

SPRING/SUMMER 2017



Andrew Fulcher

By the time you read this column our new website will be up and running...check it out...we are very proud of it.

Message from the President

Summer is finally upon us! I hope that by now your parking lot lines are all smartly painted, your flowers are all prettily blooming, and your shrubs and trees are all neatly trimmed. I'm sure that your irrigation systems are up and running, and the irrigation contractor is being made aware of any local watering restrictions...

As we move through the hottest part of the year, those of you with central air conditioning probably have a large smile on your face! As a Property Manager, for many years we have written to townhouse unit owners asking them not to install window mounted air conditioning units. Many older Condominium Bylaws strictly prohibit this. Recently, we have advised many of our Boards to examine the thorny air conditioning problem in more detail. I am not suggesting that Boards ignore

Condominium Bylaws regarding air conditioning installation. What I am suggesting is that Boards proactively set enforceable rules concerning the installation of air conditioning units, and allow them where permissible under Bylaws. Many newer air conditioning units are very quiet (under 70 decibels) affordable (under \$3,500) and would not overly interfere with the enjoyment of other unit owners. Air conditioning units can be installed in both townhouse and apartment style condominiums.

(continued on page 3) →





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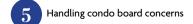


CCI South Alberta Chapter

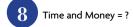
- To keep updated on chapter events;
- To receive updates on industry news and condominium related issues;
- To network with other CCI South Alberta members:
- To sign up for future CCI events.

in this issue





Year At A Glance: Call for Nominations



Pitfalls of deferring maintenance and repairs in condominiums



CCI South Alberta **Chapter Members**



Welcome new members



Energy efficiency in condos



Multi-family Waste and **Recyling Program**



Human righs legislation



Feedback Invitation Update Service Alberta Condo



Alberta's Leading Condominium Insurance Brokerage

Finding the right insurance can be intimidating and confusing. BFL CANADA, with its market leading Condo Protect insurance package, takes the stress out of the process, providing coverage specifically for condominiums. BFL understands the risks facing condominium corporations; In addition to protecting your investment, we offer guidance for property managers and condominium boards focused around claims prevention, coverage education and bylaw review.

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Canadian Condominium Institute South Alberta Chapter

THE VOICE OF **CONDOS IN CANADA**

Formed in 1982, the Canadian Condominium Institute is a national, independent, nonprofit organization dealing exclusively with condominium issues and representing all participants in the condominium community

OUR MISSION

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

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message from the president

When the Board presents a solution to owners who are fed up with living in hot condominium units, the Board is being proactive rather than reactive and this is a good thing!

As we transition into Fall, Boards wishing to add some perennials to their landscaping will find that many garden centers offer extremely good deals the later the season gets. Want to brighten up your Condo in Spring? The Fall is the perfect time to plant Spring flowering bulbs, and a planting bee can do much to generate good feelings. It will also give those that participate something to look forward to over the long, dark winter months that are coming. For now, old

man Winter is a long way away and let him stay there!

I would like to take this opportunity to remind you to renew your membership with CCI South Alberta. Renewal forms have been emailed to you, and we look forward to welcoming you all to our AGM, which will be held on September 28th at the Coast Plaza. By the time you read this column our new website will be up and running...check it out...we are very proud of it. This coming year we are pleased to bring you some new courses and some exciting luncheon speakers!

Wishing you all the best for a very long summer and a warm fall.

ndrew Fulcher

CCI South Alberta Chapter, President

CCI South Alberta has a fresh look! We are ecstatic to share the results of your new WEBSITE! Don't forget to bookmark it and visit it often! ccisouthalberta.com





FACILITY ASSESSMENTS:

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Handling condo board concerns

How do you defuse a heated argument within your condominium community?

By Maria Bartolotti

Dear Maria; I've been asked to serve in my condo board. I've heard it can be a difficult task. What's the most difficult thing that I can encounter, and how would you handle such a situation?

I think it goes without saying that • being a volunteer condo board member can be a thankless job. And yes, it is a job!

They may not get paid for the work that they do, but board members put in a great amount of time to ensure that the Condo Corporation is being managed efficiently.

At some point as a volunteer board member you probably have come across a homeowner who is demanding, unhappy and aggressive and no matter what you say or do, it's their way or the highway. So, when is enough, enough?

Recently I got a call from a board member (Shirley), who indicated that she was once again, approached by a homeowner (Jack) who was angry that the board did not approve his request to paint the exterior of the unit door black. Well, from the way Shirley described it to me; you would have thought that the world was about to end because the board denied his request. Before you knew it, lack declared war on the board and made all kinds of unreasonable demands.

I swear, residents tend to forget that board members are VOLUNTEERS, who devote their time and efforts towards managing YOUR condo.

When you are faced with a bully

resident, try to stay calm and neutral (unless you fear for your life). Don't get personally involved with the situation. I get it; it can be hard to do. Ultimately, refer resident to the condo manager and have resident send their complaint or disappointment in writing to the management company where it can properly be reviewed and addressed.

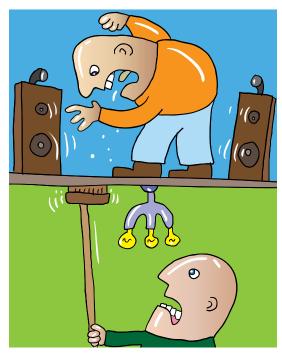
A good management company like, New Concept Management Inc. can help defuse the situation by speaking and listening to the resident and reviewing the condo bylaws and regulations that govern the corporation, and any policies that may apply in that situation.

It is my experience that homeowners typically act in this way, because they do not have the fundamental principals of living in a condo. Essentially, they do not know what the role of the board, owner or the management company is.

Keep the lines of communication open with the residents, and keep them up to date on what's happening with their investment. Promote a sense of community within your condo and don't lead with a heavy hand.

Best way to do that is by sending a monthly or quarterly newsletter to all owners and residents via the management company.

Include an educational section in your newsletter, which covers topics such as:



- Owners responsibility vs. the boards responsibility;
- What to expect from your condo manager and the management company
- What it means to be a good neighbour?
 - Finances.

Communication is key and it helps to dispel the common myth "us vs. them" attitude. Be clear with your words so there is no confusion on what your message is.

The above is just a fraction on how to handle a difficult owner or resident. Remember, your actions, as a board or management company will reflect on how the resident responds to you.

Until next time...



■ Reprinted from Condo Living Magazine

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New Concept Management Inc. believes that maintaining and building relations with all parties involved in condominium management is key to effective communication.

This value ensures that condominium corporations, boards, owners, and residents are all informed and up-to-date on the workings of the condominium.

We are here for YOU...

To learn more about New Concept Management Inc. and what we can offer, please visit our website at www.newconceptmanagement.com, email us at info@newconceptmanagement.com or call 403-398-9528. We would love to be of service to YOU!

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Year at a Glance

19TH ANNUAL CCI SOUTH ALBERTA GOLF TOURNAMENT

Blue Devil Golf Course (more details on page 26)

Registration: 12:00 - 12:30 pm.

Tee Times: 12:30 - 1:30 pm. For more information visit: conventionall.swoogo.com/CCI-SAC2017Golf Tournament

LUNCHEON

October 26, 2017. Cory Bilyk, Trotter & Morton November 23, 2017, Save the Date!

ANNUAL GENERAL MEETING

Hotel Blackfoot (5940 Blackfoot Trail SE, Calgary) September 28, 2017. Registration Opens: 11:00 am AGM: 12:00 pm - 1:00 pm

4TH ANNUAL ALBERTA CONDOMINIUM AND REAL ESTATE CONFERENCE

October 20 & 21, 2017 at WinSport (for more info see page: 21)

CONDOMINIUM MANAGEMENT COURSES

Schedule will be released soon...please check our website for details as they become available.

The Education Committee would like to thank you for your participation at the Condominium Management Courses, luncheon and other events throughout the year. We encourage your feedback and suggestions for upcoming events and speakers/ topics you would like to hear more from.

reminders

For all available **EVENT REGISTRATIONS** visit ccisouthalberta.com

For more information on **CHAPTER EVENTS** please visit ccisouthalberta.com or follow us 📑 💟 in Registration notices are emailed to members three to four weeks in advance.

CCI is always **LOOKING FOR VOLUNTEERS** to speak at our luncheons. If you are interested, contact Elaine at 403.253.9082 or administrator@ccisouthalberta.com

Luncheons and Courses: for more information and/or to be added to our email list go to ccisouthalberta. com/events-education/upcomingevents



Nominations are being accepted for five **Director Positions**

CCI South Alberta is seeking members who have shown a dedication and commitment to the success of CCI South Alberta and have the desire to take a leadership role at the Board level.

To find out more about the roles and duties and/or to nominate someone, please contact administrator@ccisouthalberta.com

Time and Money = ?

How a condominium is managed can make a good community great!

By Wanda Hogg, Residential Service Coordinator at Entuitive Corporation

ithin the Condominium Community, there are many components that are interconnected; most of which are unknown to the average Condominium Owner:

- Legislation, Acts, Regulations, and Corporation Bylaws
- Lawyers, Insurance Agents and Adjustors
- Auditors, Reserve Fund Studies and Budgets
- Professional Management Companies, Manager, Accounting, and Maintenance Services
- Engineering Consultants
- Contractors, Trades, Handyman
- Elected Board of Directors and Occupants with special interests, capabilities, or concerns

One needs to find balance amongst the above list to create a Community that is safe, healthy, and whose real



estate investment retains, or increases its value over time.

Having worked in the Condominium sector for over 10 years I am convinced sound Engineering Consulting is key to the success of the Manager, the Board, and the Communities they represent.

"Collaboration with an Engineering Corporation is too time consuming and too expensive."

Yes, I heard you, but let me dispel the myth and share an example with you:

Chasing Symptoms:

A window and door replacement project has just completed; but the Corporation is still hearing that Owners are experiencing frosted windows, cold drafts, internal moisture and mold issues.

That must mean the Board should action the next line item in the Reserve Study-cladding replacement. Budget quotes indicated this would be a \$2 million-dollar face lift; something the Corporation would not be able to fund so soon after doors and windows.

So, next the Band-Aid fixes come out (caulking, vapor barriers, insulation, drywall repairs, paint, and re-cladding localized areas) to deal with the symptoms reported by the Owners.



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"Collaboration with Engineering firms is of value both in time and money"

Enter a Manager with a New Perspective

After repairs fail to deal with the symptoms, a Manager proposes to bring in an Engineering firm to review past



work, building symptoms, ownership concerns, and physical inspections. Yes, this would cost money, something the Board is reluctant to do, but what choice do they have?

Lawyers are now writing the Corporation on behalf of some Owners who have been dealing with these building symptoms for close to 3 years now; the threat of lawsuits is real.

Once the Engineering firm is engaged, an evaluation of the causes and options for repair then result in a step by step plan that is put in place. The plan is based on real building science and is evidence based, applying to all the building systems — not just the symptoms. This

could be started right away — providing an instant calm and measure of relief to all involved.

The Results:

The Board did do good work by replacing the doors and windows — too good in fact, as the building now could not "breath" properly. The cladding, although outdated in components and color, was also performing as it should.

What was discovered was a lack of ventilation and fresh air-changes in the units. Adding low Sone humidistatically controlled exhaust fans ducted to the exterior allowed the removal of warm, moist air from within the units and stopped the major condensation problem that at first looked like leaks!

The Board then engaged the same Engineering firm to administer the contract and oversee the project. This was a huge relief to the Board members who were part of the doors and window project!

The budget established to achieve this work was now just under \$300,000 dollars; a far cry from the anticipated \$2 million!

"Collaboration with Engineering firms is of value both in time and money"

Time + money = evidence based action plans, with clear and precise project specifications for fair valued products, and properly executed contracts.

Commentary in this article is intended as general guidance and is not intended as specific advice. If you have a specific issue please contact a qualified professional for assistance.

cci

Wanda Hogg, has been in the Condominium field for over 10 years, and has been involved in the completion of many complex projects such as: major insurance claims, building envelope re-cladding, drainage plans, and balcony structural rebuilds. During her free time, this wife and mother loves to travel to dog events where she has had success in both the confirmation show ring, and pointing dog field events.

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Pitfalls of deferring maintenance and repairs in condominiums

By Justin Tudor, President, Keller Engineering

ondominium owners and directors are typically more aware of the maintenance costs and requirements of their buildings than their freehold-living counterparts. This is by virtue of legislation requiring that common element maintenance and replacement plans be considered through regular reserve fund studies. However, like the freehold owner who elects to put off their roof replacement until next year, condominium corporations have also frequently elected to defer maintenance obligations, typically due to financial constraints, in the hopes that they won't be subject to one of the pitfalls of deferred maintenance programs.

Deferring maintenance can have measurable short term gains. Delaying repairs or replacement to building components or systems can be done to provide cash flow relief, meet budgetary expectations, or delay the nonfinancial impact of the project.

However, deferring maintenance also comes with risks and potential costs. Below I discuss four potential Pitfalls of deferring required maintenance.

PITFALL 1: Lack of consideration of the risks associated with emergency failure

Properly forecasted and planned replacement and repair projects consider construction variables such as urgency and material delivery time. There are numerous systems throughout condominium complexes that require continuous operation and greatly affect the community in the event of unexpected failure. While considering deferring a repair or replacement project, a corporation must address the risk, adverse impact, and the additional costs that an emergency failure of the system could impose during the deferral period.

Envision a main breaker switch replacement that is

deferred due to immediate budgetary issues. Properly planned, any scheduled shutdown of the power during the project is addressed by notification to the owners or by arrangements of temporary power. In the event of emergency failure, the risks associated with the potential lack of availability and costs of emergency power, coupled with the additional strain of dealing with a community that just lost power may be worth re-evaluating budgetary priorities on aging equipment where the negative impact of unexpected failure is so great.

PITFALL 2: Uncontrolled or concealed continual degradation

Individual building elements are part of an overall system that rely on the integrity and proper functionality of all components. A failed caulking joint around a window can lead to water infiltration that damages drywall and saturates insulation, resulting in heat loss at the wall assembly. Deferring maintenance of elements where the failure is damaging other, sometimes concealed, secondary elements without proper consideration of the costs and impacts of repairing these secondary elements will often result in significantly increased future maintenance and repair costs.

KELLER ENGINEERING

Consider a multi-level parking garage, where intermediate slab and landscape covered podium slab membranes have been knowingly leaking for years. Membrane repairs have been deferred because the comprehensive proper repair involves significant work to localized areas of membrane failure. In the interim, tarps and eavestroughing have been attached to the ceiling of the garage to manage the penetrating water and ensure it is not dripping onto cars below. Large cracks in the slabs have received a polyurethane crack injections. These interim measures can be installed for years in order to defer (and turn a blind eye to) a parking garage renewal project, however, as the concrete continues to be penetrated with water containing chlorides and chemicals, it will degrade at an accelerated rate. Concrete repairs cost make up a significant portion of any parking garage project and the time associated with executing and curing the concrete repairs are the largest factor when determining how long the garage will be partially or fully closed to traffic.

Countless localized and minor repairs projects have spiralled into large, multi-year, costly, and disruptive projects under the guise of deferred maintenance.

PITFALL 3: Ignorance to volatility of material costs

Reserve fund plans and condominium budgets expect costs to increase over time in line with inflation. When evaluating future costs of deferred maintenance, condominiums often look to the local construction price indices which indicate year over year general inflation. However, materials or equipment that are related to a specific commodity, such as aluminum in high-rise windows or petroleum in asphalt, may see price increases over a relatively short period of time that fall outside the range of the general forecasted inflation rates.

Window frame replacement projects that were deferred from 2013 to 2015 would have expected a general construction price increase of 2.3 per cent (Statistics Canada), however, aluminum prices varied significantly in this period, increasing by 17 per cent at their peak. Although aluminium does not make up the entirety of these projects, over a two-year period, the changes in material costs affected overall construction costs, resulting in an estimated increase in project cost of six per cent. These unexpected changes could negate the original benefits of deferral altogether.

PITFALL 4: Life-extending repairs associated with deferral does not return an appropriate benefit

Occasionally, useful service lives of aging elements can be extended with minor to moderate repairs, thus reasonably deferring their subsequent major overhaul or replacement. The cost and scale of these life-extending repairs must be evaluated in relation to the benefit or savings of their deferral. The cost of the life-extending repairs may not be reasonable when considering the amount of time that the repairs defer the subsequent project.

condo insider





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their exposure and use, have a typical service life of 35-50 years. As they age, the insulated glazing unit seals fail, their external sealants deteriorate, their hardware and mechanisms fail, their locks seize, and their weather stripping is no longer functional. These failures can result in decreased overall performance exhibited by heat loss, air exfiltration, and water penetration. All these elements can be replaced without replacing the frames; glass can be replaced with new, hardware can be swapped out, mechanism can be lubricated. The cost of these refurbishments will always be significantly lower than a complete window frame replacement, however, if the value of the refurbishment is 35% of the value of the future replacement, and is only expected to extend the service life of the windows by 25 per cent, consideration should be given to dealing with the window elements as a whole, without delay.

Managing Risk

Deferring repairs and assessing priorities is a part of building management and operation. The money isn't always available every year, and if it is, it may not be in the best interest of the community to carry out a specific project at a given time. Alberta condominiums are fortunate that with a comprehensively monitored and followed reserve fund plan, a reasonable contingency, and a detailed eye towards an appropriately managed maintenance contract, the need for deferral is often mitigated.

All project deferrals contain risk, which are evaluated by the probability of failure in relation to the impact of failure. In the examples above, we've suggested cases where the risks were either improperly managed or ignored altogether. A comprehensive review and preventative maintenance inspection should be performed when considering any deferral to ensure that you do not get trapped in one of the pitfalls.

Sources: Statistics Canada, CANSIM, Price indexes of apartment and non-residential building construction, by type of building and major sub-trade group, 2016-11-08



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Cottage Club - Ghost Lake

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Condominium Plan 1010721

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Condominium Plan 1313190

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Pine Pointe Place

Poplar Green

Prairie Sound Townhomes

Prince of Peace Village

Prince's Crossing

Red Haus Condominium

Redberry Ridge Condominium

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River Ridge - Lethbridge

River Ridge Estates

River Ridge Gardens

River Run 1

Riverbend Terrace "B"

Riverview Court

Rocky Ridge Villas

Rutland Mews

Sandpoint Park

Sheep Creek View Condominium

Sierra Grand Condominium

Sierra Morena Villas

Sierras of Country Hills

Sierras of Evergreen

Sierras of Tuscany

Sol of Sunnyside

Stella Nova

Stonecroft at Highland Park

Storybook Village

Strathglen Estates

Sundance Estates

Sunflower Garden Court

Sunridge Business Park

Sunridge North Business Park

Suntree Place

The Curve

Welcome to new members

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Energy efficiency in condos

Turning to sustainable designs to cut utility costs in condos

By Maria Bartolotti

Dear Maria; Will the new Energy Efficiency Alberta program help condo owners?

Regulatory changes are never
easy, but setting out minimum
energy-efficiency standards for building
construction codes was long overdue in
Alberta. I for one agree. The provincial
government reports that emissions
from Alberta's houses and buildings
produced 19 megatons, or roughly
seven per cent, of the province's
greenhouse gas emissions in 2014.
Decreasing building emissions will play
a vital part in reducing Alberta's overall
carbon footprint.

There may be a steep learning curve for some adjusting to the new rules, but industry insiders argue the new energy codes reward intelligent design and construction and will ultimately result in greener, better-designed buildings that will be more affordable to operate. (As quoted above by Candice G. Ball).

As a condominium manager, with New Concept Management Inc., I know first hand the importance for a condominium corporation to save money. Roughly 40-50 per cent of condominiums operating expenditures go towards the cost of utilities (gas, electricity and water bills). Budgeting for these expenses can prove to be a challenge even when bundling your services.

It is my opinion, the new Energy Efficiency Alberta program, will help many condo owners stabilize



their costs when upgrading to energy efficient products. The great thing about the energy efficient program is that both you and your condominium corporation Save Money — let me say it again, Save Money!

When you apply for the program, an Energy Efficiency Alberta installer will visit your home and conduct a walkthrough to identify potential opportunities for energy-efficient upgrades at no charge. Installers will assess and remove old incandescent

products and replace them with more energy-efficient LED products, making it a win-win for all.

If you would like to learn more about the program or would like to register, visit www.efficiencyalberta.ca/ residential-no-charge

Being energy efficient is a great way to protect your investment and minimize costs. Do you part and register for the program.

■ Reprinted from Condo Living Magazine

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Multi-family Waste and Recyling Program

Coming November 1: Food & yard waste requirements for multi-family complexes

tarting November 1, 2017, apartments, condos and townhouses must separate food and yard waste from the garbage, for composting or another means of diversion. Building owners and managers are responsible for setting up a food and yard waste program in their complex and must do the following:

- Collect and store food and yard waste separate from garbage or recyclables.
- Arrange for the material to be collected for composting or another means of diversion.
- Post clear signage on collection containers showing what goes in each bin.
- Provide information to new residents and annual reminders to existing residents, including:
 - What food and yard waste materials can be collected, and
 - How to prepare and sort food and yard waste materials.

Building owners and managers have the flexibility and choice to seek out a food and yard waste service provider that best suits their complex's needs and decide how to manage the service.

Not sure where to start? Check out our Food and Yard Waste Diversion Guide (goo.gl/vij8as) for Building Owners and Managers. The guide includes an overview of what's required in the bylaw, tips for hiring a collection company and instructions to get your food and yard waste program up and running.

Ready to start looking for a collection company? Green Calgary maintains a directory of food and yard waste collection companies at greencalgary.org

Are your residents aware of your waste →





diversion program? Check out our free **educational tools and resources** (goo.gl/nHQvri), including:

• Free signage for your recycling or food and yard waste bins.

• Letter templates to inform your residents about the food and yard waste or recycling program in your building.

Interested in a presentation? We're here to help. Our team can attend one of your board meetings to talk about the upcoming food and yard waste bylaw requirements and answer questions. We also offer door-to-door or lobby visits to help your residents understand recycling and/or food and yard waste in your complex. Fill out an online request (goo.gl/vYYCPm) to discuss how we can help you.

Tips to reduce food waste

While some food waste isn't suitable for eating — like banana peels and bones — a lot of our food waste is perfectly edible. Check out **tips for reducing food waste** (goo.gl/awfuP2) to help ensure no food goes to waste in your home, and share this information with your residents.

By reducing and diverting our food and yard waste, we can reduce our dependence on landfills, minimize the harmful environmental effects of food and yard waste in landfills, and produce useful new resources, such as compost.

Visit calgary.ca/multifamily for more information about waste diversion in multi-family complexes.







Our condo experts offer local care and expertise with national support and resources to reduce costs, protect investments and achieve the unique goals of our valued clients.

Contact Michael Holmes, President & Broker 403-693-0022 x3304

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Instructor Opportunities for 2017-2018 CCI South Alberta is looking for professionals to instruct at upcoming courses. Please review the short outlines for the courses on page 31. Material regarding the learning objectives and course information is available from the CCI office. Forward your interest in an email to: administrator@ccisouthalberta.com We look forward to hearing from you!



Human rights legislation

Will changes to human rights legislation bring challenges to age restrictions in condominium corporations?

By David Cumming at McLeod Law

hether it's University dorms or assisted living facilities, people of similar age cohorts tend to cluster together. In some cases there are even rules encouraging this. Several Condominium Corporations have provisions in their bylaws placing restrictions on the basis of age. For instance, there are several "40 Plus" communities and many more which disallow persons under the age of 18 or 21. Several of these bylaws permit short-term exceptions to age restriction rules under compassionate grounds. For example, if the parents of a child are killed in a car accident, the child is often allowed to live with Grandma and Grandpa for a few months to allow other accommodations to be made.

restrictions have gone largely unchallenged to-date but this may soon change. Alberta's human rights legislation will soon be changed so that "age" will join race, gender, marital status, religious belief, sexual orientation, etc., as

The rights of Condominium Corporations to have age

a category against which discrimination is specifically prohibited. Although the government is currently working with select groups to determine if there will be exceptions to this rule, it remains to be seen whether Condominium Corporations or Homeowners Associations will be exempt.

This raises the question: Does human right legislation apply to Condominium Corporations at all? The answer depends upon who you ask.

The Human Rights Tribunals seem to have taken the view that they have the authority to hear complaints against Condominium Corporations. The courts, however, are divided on this issue. In the case, Condominium Corporation Plan No. 9910225 v Davis, 2013 ABQB 49, the Court ruled that as the bylaws of a Condominium Corporation are essentially a private contract, Human Rights Legislation does not apply. Conversely, in the case Condominium Corporation No 0520580 v Alberta (Human Rights Commission), 2016 ABQB the Court ruled that an Alberta Human Rights Commission could hear a complaint from a unit owner against a Condominium Corporation.

What all this means is that the law is unsettled in the area and a case may arise which challenges the bylaws which discriminate on the basis of age. There are good arguments to do so.



condo insider



As a hypothetical example, if a complaint was brought to a Human Rights Commission challenging an atrocious bylaw that prohibited "dark skinned persons" or "homosexuals" from renting or owning units, the courts would have a hard time ruling that the human rights act doesn't apply. So if Condominium Corporations can't discriminate based on race or sexual orientation, what makes them able to discriminate based on age now that age is going to be granted the same status under the Act?

In my humble opinion how a decision is made will depend on the facts. If you have a group of rowdy 20-somethings disturbing an otherwise peaceful "40 plus" community, the courts would be more likely to uphold the age restriction. Conversely, if you take my above example of a child who lost their parents coming to live with their Grandparents and a callous Condominium Board trying to force them out, a court (or Tribunal) would be hard pressed to rule that Human Rights Legislation doesn't apply to the bylaw in question.

So what should you do, as a Board member, if you find yourself in this situation? First and foremost, act politely and diplomatically. Know your bylaws. Consult a lawyer when needed. If there is a genuine effort to act reasonably and courtesy is shown, the more likely these issues can be resolved without recourse to courts or tribunals, which is a better outcome for everyone.

For further information or to answer any questions you have regarding this topic, please contact any lawyer in our Condominium Law group.

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





Instructor Opportunities for 2017-2018

CONDOMINIUM MANAGEMENT 100, 200 AND 300 SPECIALTY MANAGEMENT COURSES

Management 100 Course

Condominium CM100 covers topics such as:

- Board of Directors' responsibilities in the Condominium Property Act;
- Principals of Accounting;
- Condominium Contributions;
- Decision Making Processes;
- Communication:
- Basic Insurance Coverage Principals;
- Basic Elements Of Maintenance & Repair.

This is the only level in which styles of condominium management and conducting effective meetings are reviewed in detail.

Management 200 Course

CM 200 is an intermediate program designed for Condominium Property Managers and Board members who must control, manage and administer the Condominium Corporation and complex. It contains specifics of their roles and responsibilities in most of the day to day activities, as well as resources to assist in carrying out their duties.

Topics include:

Governance issues, amending by-laws, enforcing by-laws (up to Court action); documentation; record keeping; filing and disclosure requirements; contracts; tendering of contracts; tenants (up to eviction); collecting deposits on rental units; dealing with different behaviors of people, dealing with apathy; conflict resolution; communication; financial records; internal accounting controls; accounting systems; budgets; setting condominium contributions; special assessments; collecting condominium contributions (up to the caveat); audits, estoppel certificates; information statements; the duty to maintain and repair; trouble shooting maintenance; tendering maintenance and repairs; establishing and maintaining an adequate reserve fund; reserve fund studies; insurance policies; property insurance; liability insurance; fidelity bonding; choosing an insurance broker; insurance trustees; insurance appraisals; and premium issues.

Condominium **300 Course**

Topics include:

- 1. Governance & Administrative Issues specialty governance issues, particularly those related to developers.
- 2. Condominium Cases court decisions across Canada related to Condominiums
- 3. **People Issues** people issues arising from the Corporation's role as employer, administrator and enforcer of the bylaws.
- 4. Financial Issues complex financial topics.
- 5. Building Envelope and Common Property Issues fire protection, mechanical, IAQ/Mould and the building envelope above and below grade.
- 6. Insurance Issues awareness of insurance issues, preparation for disasters, and handling of insurance claims.



Service Alberta Condo Feedback Invitation Update

'n July Stephanie McLean, Minister of Service Alberta, extended an invitation to Albertans to attend one of five open-house events to provide feedback on condo governance issues. These sessions permitted suggestions of improvements on governance issues, including:

- voting procedures and general meetings
- condominium documents
- financial considerations
- rules, rental deposits, and termination of agreements
- insurance requirements
- reserve funds
- condo tribunal to resolve disputes outside the courts

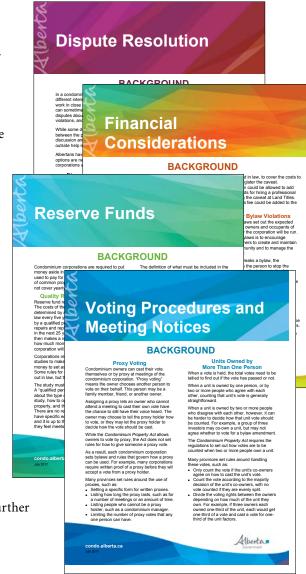
According to the Service Alberta website, you may review the background documents, which include the following sections:

- condominium documents
- dispute resolution
- financial considerations
- insurance requirements
- reserve funds
- rules, rental deposits and termination
- voting procedures and meeting notices

Completed forms can be submitted by mail or email to: condoreview@gov.ab.ca

Condominium Project Team, Service Alberta, 3 Floor, 10155 - 102 Street, Edmonton, AB T5J 4L4

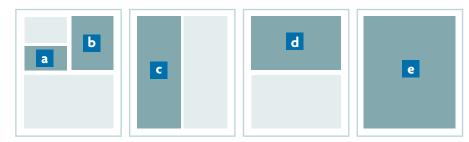
CCI South Alberta will keep you updated on any further updates. cci



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deadlines

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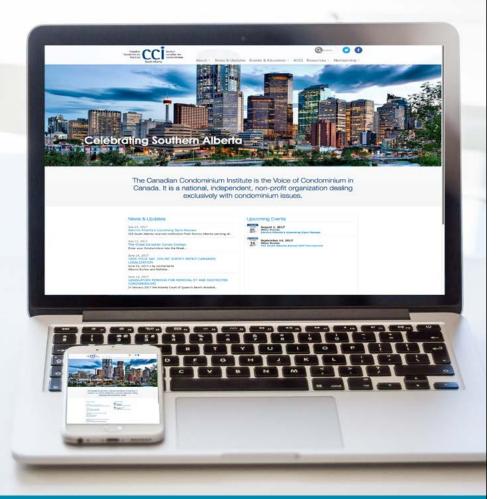
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