



Spring 2018

# Comfort Chronicle

## WHY NOT BE COMFORTABLE

### Another New PCOA-related Deadline

Effective May 1, 2018, regulations involving the installation of electric vehicle charging stations (EVCS) become effective. These changes are enacted for two reasons:

1. To support one of the Government's commitments under the Province's Climate Change Action Plan (CCAP).
2. To establish requirements intended to make it easier for condominium unit owners or condominium corporations to install EVCSs in their condominiums.

How will these affect your corporation? As always, corporations are advised to consult their lawyers, but it should be noted that there is a provision for:

- a) Exempting condo corporations that meet certain conditions from certain requirements in the Condo Act that would otherwise apply to condo corporations seeking to install an EVCS on condo property or the asses, if any, of a corporation.
- b) Exempting condo owners who meet certain conditions, and condo corporations, from certain approval requirements in the Condo Act that would otherwise apply to a condo owner's request to install an EVCS on condo property.

As always, new regulations involve paperwork and new Status Certificate and Status Certificate in Amalgamation forms have been updated to reflect these changes. These new forms are dated March 23, 2018 and will also become effective May 1, 2018. Current forms dated September 1, 2011 must be used until May 1, 2018.

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## IMPORTANT DATES

**Victoria Day**  
Monday, May 21, 2018  
Management Office Closed

**NEW ACT  
NEW ERA  
NEW VISION**

## How is your 2018 'To Do' List Progressing?

Previous issues of the Comfort Chronicle have included PCOA's several enforcement deadlines as well as non-compliance ramifications.

### Condominium Returns

Corporations who have not yet filed informational returns with the registrar appointed by the Condominium Authority of Ontario (CAO) should prioritize this job. These returns must include such things as: the condo corporation's address for service, the names of the corporation's directors and the date of the last AGM.

### Condo Managers & Management Providers

While licensing requirements under the Condominium Management Services Act 2015 (CMSA) for condo managers and condo management providers began on November 1, 2017, additional provisions of

the CMSA and new regulations supporting the implementation of those provisions became effective February 1, 2018. The new regulations cover such things as:

1. Complaints, insurance and other requirements
2. Code of ethics, disciplines & appeals committees

It is hoped that corporations have studied the new requirements of PCOA and have downloaded all the new forms, noted new notice period requirements and incorporated them into their annual calendars.

As always, we suggest that corporations check with their lawyers or relevant websites to ensure they are in compliance with all new PCOA requirements.



## PCOA – Warts and All



Thanks to PCOA, one of the steepest learning curves for condo corporations involves the myriad new deadlines and forms.

Boards diligently combed through the document, noting every notice requirement, deadline and penalty for non-compliance. It didn't take long to see problems such as, but not limited to:

Firstly, the forms themselves are not user friendly. Some forms require that corporations upgrade their Adobe reader to even open them.

This resulted in the Ministry of Government and Community Services (MGSC) issuing an email blast explaining 'How to view new Condo Act forms'.

Secondly, many forms don't include some essential information. An example of this is the "Notice related to Mortgagees" doesn't include a space to note the suite number.

Until the problems are resolved property managers will have to adapt and devote significantly more time to the administration portion of our function.

## A New Year of AGM's



Spring marks AGM season for many condo corporations. This year, the AGM preparation will begin earlier and be more extensive.

PCOA has created new forms and processes to make it easier for owners to make informed decisions and ask intelligent questions regarding their corporations' operations. While important, nothing in the New Act can remove an owner's responsibility to actually attend these meetings.

Unfortunately, owner apathy is one of the larger problems afflicting most condominiums. Like federal and provincial elections, condo owners who do not bother to vote for new and renewing directors cannot complain when they don't agree with the actions their Board is taking.

AGM's are, by design, an overall picture of a corporation's performance during the previous twelve months and are the only meetings mandated by both the Condo Act, 1998 and PCOA 2015.

All owners and mortgagees receive detailed packages prior to the meeting. Owners are responsible to go through that material and formulate any questions regarding same. Questions not answered during the meeting can be posed during the time allotted for same.

"I am happy with how my corporation is performing" is something we often hear as justification for not attending. While this is wonderful for owners it doesn't negate owners' responsibility to attend AGM's, if only to learn why their corporations are 'performing'.

## Other Owners Meetings

Special General Meetings also known as Requisitioned Meetings are called for specific purposes such as by-law approval, Declaration amendment discussion and/or approval or other such matters that require a vote/consent by owners in order to continue.

Sometimes these meetings are introduced at a corporation's AGM, such as a lawyer advising owners at the AGM that a new by-law would be required in order to fulfill a specific function but there was not enough time to deal with it at the AGM itself. A subsequent Special General Meeting might then be called to vote on that by-law in order for it to take effect.

Several issues of the Comfort Chronicle have included articles outlining the myriad benefits of communication between condo boards and owners. PCOA also recognizes the value of same.

Town halls or information meetings are some of the most valuable communication tools. These meetings are more casual and do not involve any voting but can provide valuable direction to the board or feedback regarding status updates or specific projects. These are excellent venues for outlining the process the board is undertaking in major reserve fund projects such as corridor refurbishment, lobby or elevator upgrades.

Some corporations are contemplating eliminating non-performing amenities. Town halls are an excellent starting point for the decision-making process.

Boards are well-advised to consider Special General and Town Hall (Information) meetings a valuable means of mutual communication between themselves and owners.



## A New Season Brings New Jobs

Everyone is eagerly anticipating the freedom and myriad activities unique to spring and summer and this season is no exception. So far, spring has only given us a few sporadic days of warmer temperatures but, inevitably, these warmer days will become more plentiful.

As always, spring marks the beginning of a busy season for Boards and Property Management. The job of 'spring cleaning' is exponentially larger due to the size of a corporation's property. This means that there will be numerous trades working throughout the corporation's property which, in turn, means that there may be interruptions in residents' everyday lives. One of the most basic changes in many corporation is the week-long conversion from heat to air and the difficult decision of when this should be done. This year is proving to be difficult to predict and Boards are advised to keep their residents consistently advised as to when this function will be undertaken and how long it will take to become effective. Privacy issues will also be involved when it comes to exterior window cleaning and annual fire system testing.

There will also be myriad other jobs that residents will never see but are just as important. Such jobs include, but are not limited to: roof anchor inspection prior to window washing, landscaping plan creation for Board approval, cleaning catch basins etc.

As is always the case, Boards are advised to communicate the spring schedule with their residents early and often. While everyone knows that they will benefit from the jobs being performed, ongoing interruptions in their lives, understandably, cause resident angst. This feeling can be exacerbated when interruptions come as surprises. Because all corporations usually want to perform the same tasks at the same time, scheduling with the appropriate trades is on a first come first served basis. Boards should, therefore, already know what tasks are involved in converting their property from winter to summer and have a firm schedule in place for performing same. Even if incomplete, notices should be distributed telling residents what to expect thus far as well as a statement regarding tasks still to be scheduled and a commitment to advise residents as these items are scheduled.

As always, we wish everyone a safe and happy spring season and remind them to watch for children who will now be playing outside.

### Comfort Property Management

As always, we thank those corporations who have already entrusted their properties to our care and we look forward to a lengthy partnership with you. We also invite any condominium corporations interested in learning more about our unique management philosophy to contact us.

7 Director Court, Unit 201  
Vaughan, Ontario L4L 4S5  
Telephone: 905-605-7788  
Fax: 905-605-7799  
Toll Free: 1-877-930-0111  
[info@comfortpm.ca](mailto:info@comfortpm.ca)  
[www.comfortpm.ca](http://www.comfortpm.ca)

**Customized Property Management  
at a Comfortable Price**

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