



Summer 2025

Comfort Chronicle

WHY NOT BE COMFORTABLE

IN THIS ISSUE

AGMs-Upcoming Changes

According to the April 24, 2025, Legislative Newsflash sent by the Canadian Condominium Institute (CCI) Toronto and Area Chapter there are “important changes coming related to owners’ meetings for condominium corporations”. While it isn’t totally known what these changes will look like when implemented, it is essential that corporations keep up to date on what’s happening.

1. On March 31, 2025, the Condominium Authority of Ontario (the “CAO”) announced that it would be launching a new and enhanced, user friendly “smart” proxy form. Sections 13 and 16.1 of the General Regulation O. Reg. 48/01 to the Condominium Act makes the Condominium Authority of Ontario (CAO) proxy form the mandatory form for proxies so watch for it to become official.
2. On January 24, 2025, the Ontario Government announced that the Condominium Authority Tribunal (CAT) might be assuming jurisdiction over disputes about condo owners’ meetings (e.g. AGM’s) effective July 1, 2026. Section 1.36(6) of the Condominium Act states that a CAT Application can be made within 2 years after the dispute causing the

Application. Therefore, if the Ontario government does grant the CAT jurisdiction on July 1, 2026, AGMs held this year might also be subject to a CAT Application.

Corporations wishing to avoid such Applications would be wise to consider the following this AGM season:

- a) Respect notice periods – owners must receive 2 notices before the meeting takes place (preliminary notice at least 20 days before issuing the Notice of Meeting, Notice of Meeting at least 15 days before the meeting). Notices can be sent virtually if owners have provided email addresses and have not specifically requested paper communications.
- b) Reserve your professionals early – this is especially important during spring/early summer
- c) Choose the right platform – i.e. in person, virtual or hybrid
- d) Make sure your agenda is complete – owners have the right to know in advance what business will be transacted at the meeting.

Mental Illness -	
Another form of Harassment?	2
Stakeholders’ Response for a Healthy Community	2
Preview of 2025 – Short-term Rentals	3
Maintenance Fees & Tariffs	3
So You’ve Tried Everything - Now What?	4

IMPORTANT DATES

Canada Day
Tuesday, July 1, 2025
(Management Office Closed)

Civic Holiday
Friday, August 1, 2025
(Management Office Open)

Monday, August 4, 2025
(Management Office Closed)

NEW
ACT
NEW
ERA

Mental Illness – Another form of Harassment?

Most residents, Boards and Managers of condominium communities can relate stories of a neighbour or resident who caused regular commotions for various reasons. While threatening behaviour caused by mean spiritedness is fairly straightforward, the same can't be said when the behaviour is caused by mental illness.

While each situation may be different, the process for dealing with them can be quite similar. According to James Davidson (Davidson Houle Allen LLP), Boards and Managers may want to consider:

- Does the resident have a family that can assist?
- Is the resident receiving any assistance from social or health services?
- Does it make sense to involve public authorities (e.g. police, fire department,

Health Department, Municipal By-law Enforcement)?

- Should steps be taken to have a Guardian appointed for the resident?



Mental illness is recognized as a disability which corporations must reasonably accommodate ("to the point of undue hardship"). The question then becomes what constitutes "undue hardship" in this instance? When push comes to shove, "reasonable steps to accommodate" cannot be interpreted to requiring corporations to

sacrifice the quiet enjoyment or even safety of the rest of the condominium community. Cases of this type can be difficult to balance and usually require legal assistance.

Boards are advised to establish- along with their lawyer - a process including providing relevant mental health support entities' contact numbers (e.g. Canadian Mental Health Ass'n <https://cmha.ca/who-we-are/contact-us/> 416-646-5557 and ConnexOntario <https://connexontario.ca/> 1-866-531-2600).

Because dealing with mental illness issues is not an everyday occurrence for Boards and Managers, understanding their responsibilities and tools for dealing with same can be difficult. It should be noted, however, that not knowing can put an entire condominium corporation at risk. As with everything, early detection and action is essential.

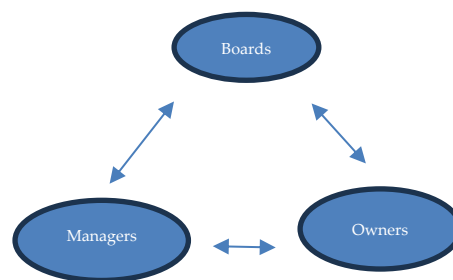
Stakeholders' Responsibility for a Healthy Community

Condo communities are composed of people from diverse backgrounds and experiences. This can be a double-edged sword in that it can foster community but also introduce unique challenges. Mentally healthy corporations are evidenced by positive communication, resident relations and problem-solving practices.

Board members volunteer to fulfill a highly stressful function. They oversee the administration of multimillion dollar operating budgets, govern and deal with interpersonal disputes. They must also constantly ensure they remain current on all legislation impacting their corporation.

The resulting stress can accumulate and lead to burnout which can impede a Board member's ability to effectively lead. This, in turn, can negatively affect residents' trust.

Excessive stress levels can also lead to Board members leaning too heavily on their Manager which will obviously increase that Manager's stress levels



Managers like Board members experience significant stress juggling property maintenance, governing document enforcement, updating their Board on legislative changes and their impact on the corporation as well as interpersonal disputes and overseeing in-house staff

This can affect their attention to any or all of their above-referenced responsibilities which can frustrate the other stakeholders.

Residents who experience frustrations caused by personal issues or interpersonal conflict with neighbours will experience stress which can negatively affect their desire to positively interact with others. This can negatively affect their ability to comply with the corporations' governing documents thereby frustrating the other stakeholders.

This means that all three stakeholder groups must act in concert to facilitate good mental health within the corporation. How is this accomplished you might ask. Addressing mental health issues with empathy, understanding and proactivity when seeking solutions is a good start.

How to Foster Healthy Communities

So all your corporation's stakeholders are on board to help create and maintain a mentally healthy community – what now? As with everything, being proactive is essential.

Step 1 involves ensuring all stakeholders are educated and understand how mental illness can show itself and affect others in the community. Hosting webinars, inviting speakers to meetings or posting information in common areas on stress management, conflict resolution etc. can be effective.

Welcome Home packages (digital or paper) are excellent vehicles for providing information about mental illness, possible ways it may appear to others and how it can impact others. It might also be helpful to include relevant help lines (especially for agencies within the corporation's municipality) as well as the corporation's policy regarding mental health and the community.

Step 2 involves promoting a sense of understanding within the community. Has someone within your corporation's community made a significant contribution to it in some way? Publicly acknowledging



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the contribution helps all stakeholders feel a sense of connection with others within the community. Positive recognition is highly motivating.

Suggestion boxes installed in high traffic areas can also help residents feel safe in expressing their concerns and offering suggestions. Management should regularly check same.

Step 3 involves communication. While an essential element, communication cannot be one-sided. Important information often comes from surprising sources. All stakeholders must feel comfortable expressing their concerns and sharing any knowledge or expertise they might have.

Owners' meetings can also prove very effective venues for such discussions as can portals on the corporation's community website.

One caveat regarding whatever form of communication corporations choose. Boards must set clear guidelines and expectations to ensure effective dialogue. Productive results are only possible when all concerns and opinions are both respected and respectful.

Maintenance Fees and Tariffs

While this article is not related to those contained elsewhere in this newsletter, we feel it's timely in light of the precarious economic situation in which Canada now finds itself. We have all heard about increased costs both in construction as well as repair and maintenance. This ongoing problem has only worsened the pressure Board members feel when explaining increased common expense fees.

This year has brought an increased problem with the implementation of significant tariffs by the United States. At the time of writing, it is impossible to accurately predict the impact of these tariffs. During normal times, Board members balance on a razor's edge between not wanting to increase fees but needing more money to deal with projects already planned or necessitated by the aging of various corporation components. Tariffs can only make this problem more difficult.

Navigating this quagmire is a two-step process.

Step one involves Board members taking all steps necessary to educate themselves on their responsibilities and how they are impacted by changing conditions.



Step two involves transparency and communication. All shareholders know that corporations are meant to operate on a "zero based budget" which means collecting only the amount needed to support the corporation from year to year. Unfortunately, there will always be unanticipated financial restraints beyond the Board's control

Owners too must educate themselves regarding the costs and responsibilities of condominium living. One way to do this is to take advantage of educational sessions offered by the Canadian Condominium Institute (CCI). While many of these sessions are aimed at educating Board members, owners too can gain an understanding of the unique challenges facing corporations in the current fluctuating climate.

When all corporation shareholders are on the same page regarding their joint responsibilities they can join together to form a stronger, smarter corporation.

The more professionals corporations have on their side the better their chance for success in these uncertain times. It should be remembered too that Boards are expected to seek professional help filling the gaps in their knowledge or expertise.

So You've Tried Everything - Now What?

Several issues of the Comfort Chronicle have been devoted to Board and Management responsibilities regarding the various safety components of their Corporations. It must, however, be stated that these entities are not meant to be mental health professionals or social workers nor should they be expected to endure ongoing threatening behaviour. It must be noted too that while courts support corporations' community right to quiet enjoyment etc., the process can seem excruciatingly arduous and slow. For those of us who have had to navigate the legal hoops to secure a just result, the length of time can be frustrating and even dangerous.

While forcing the sale of a unit is often the desired outcome, there are times when rulings simply require that the offending person stop the bad behaviour. In such cases, corporations are advised to ensure that their legal representative has included in the order a provision that the corporation will have the right to exercise the forced sale option should the bad behaviour recur.

Because Boards and Management have a duty to protect the safety, security and quiet enjoyment of all corporation members – including themselves - they should make sure their lawyer understands the significance of the specific threat to same. Corporations should also have a procedure, created under the guidance of their lawyer, for dealing with serious mental health issues. This procedure should be communicated often to all members of the condominium community.

There is help out there if you know where to look. Make knowing this information your corporation's priority.

Comfort Property Management

Comfort Property Management is proud to announce that we have again passed our ACMO 2000 recertification. This designation recognizes our continuing mission of service excellence. 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.



We are excited and proud to announce that Comfort Property Management is celebrating its twentieth year of serving our clients. We thank you for the opportunity of working with everyone and vow to continue growing and learning while we provide the highest quality service at a comfortable price.

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