

Volume 26

CONDOCONTACT

CREATING A VIBRANT, WELL-INFORMED EASTERN ONTARIO CONDOMINIUM COMMUNITY



Recent Amendments to the
Employment Standards Act

Regarding
Temporary Layoffs
and Constructive
Dismissal

COVID-19 Editors'
Summary – **Key**
Information and
Resources

CCI-Eastern Ontario
is Part of a National
Family –Strength in
Numbers!

Virtual Meetings...
Getting Past the Fear

CCI Director Interviews

Canadian
Condominium
Institute

CCI
Eastern Ontario Chapter

Institut
canadien des
condominiums

Davidson Houle Allen LLP Condominium Law



Our experienced condominium law lawyers assist and educate the condominium corporations, members of the board, owners, residents, and insurers on all legal issues that arise in the condominium setting, Including:

- Interpreting the Condominium Act
- Construction Deficiency Issues
- Taron Warranty Claims
- Litigation
- Mediation and Arbitration
- Corporate Governance
- Interpreting Declarations, By-laws, and Rules
- Co-tenancy and Joint Ownership Properties
- Enforcement Issues
- Liens / Power of Sale
- Human Rights Complaints
- Employment / Labour issues
- Financing and Loans



DAVIDSON HOULE ALLEN LLP
CONDOMINIUM LAW

Need advice? We have answers. **Ottawa 613-231-8359 | Kingston 613-531-7905**

Visit our Condo Law News Blog at: davidsoncondolaw.ca

ELEVATING CONDOMINIUM LIVING



It's more than a condominium, it's your home and one of the biggest investments you'll ever make. Shouldn't every aspect of it be of the highest quality including its management?

For more than 40 years ACMO has worked to improve the quality of condominium management by offering leading edge education, standards and designations while building a community of dedicated professionals. Our ACMO 2000 certified property management firms and RCM designated managers provide a higher level of service to you, your board members and the industry as a whole. Visit www.acmo.org to learn more.

Bring a higher standard home – ask for ACMO 2000 certified management firms and managers holding the RCM designation.



Volume 26

CONDOCONTACT

CANADIAN CONDOMINIUM INSTITUTE
CCI Eastern Ontario (CCIEO)



78 George Street, Suite 204
Ottawa, Ontario, K1N 5W1

Telephone: 613-755-5145

Fax: 613-755-4086

E-mail: info@cci-easternontario.ca

Website: CCI-EasternOntario.ca

Linkedin: CCI Eastern Ontario

Twitter: @cciEastOntario

Like Us on Facebook!
Search: Canadian Condominium
Institute – Eastern Ontario

Newsletter Administration:

Email: info@cci-easternontario.ca

This publication attempts to provide the CCI Eastern Ontario (CCIEO) membership with information on condominium issues. Authors are responsible for their expressed opinions and for the authenticity of all presented facts in articles. The CCI Eastern Ontario Chapter does not necessarily endorse or approve statements of fact or opinions made in this publication and assumes no responsibility for these statements.

This publication also notifies members of the Eastern Ontario Chapter of events and services. The products and services advertised are not necessarily endorsed by the Eastern Ontario Chapter. Readers should conduct their own review of the products and services and seek legal and other professional advice on the particular issues which concern them.

Permission to reprint is hereby granted provided:

- 1) Notice is given by phone 613-755-5145 and/or in writing to the CCI Eastern Ontario Chapter; and
- 2) Proper credit is given as follows: Reprinted from CondoContact.

Copyright by CCI Eastern Ontario Chapter of the Canadian Condominium Institute. ISSN 1488-7320

INSIDE

President's Message 5

Editor's Message 6

FEATURES

COVID-19 Editors' Summary – Key Information and Resources 8

Recent Amendments to the *Employment Standards Act*
Regarding Temporary Layoffs and Constructive Dismissal 10

Virtual Meetings... Getting Past the Fear 12

CCI-Eastern Ontario is Part of a National Family –
Strength in Numbers! 16

CCI Director Interviews (This Could be You!) 18



Upcoming Events 6

Virtual Eastern Ontario Director's Course 7

Board of Directors 20

New Members 20



Nancy Houle, LLB
President, CCI Eastern Ontario
Lawyer/Advocate
Davidson Houle Allen LLP

Summer is upon us, usually filled with vacations and long weekends with family and friends and those small maintenance projects around the common elements. Yet as we have seen, times have changed at our workplaces, our homes, and most definitely within our condominium communities.

Your Board of Directors for CCI-EO has been working since the Ontario government announced the State of Emergency on March 17, 2020 to provide alternative methods of delivering value to our members.

We have provided some great webinars: 'Virtual Townhall on COVID-19 with Ottawa Public Health, Police and Fire', and our popular 'There are no stupid questions...and there is Virtual Beer!'

We also hosted the first ever Eastern Ontario Virtual Director's Course over a period of four weeks, with great engagement and feedback!

We continue to listen to your feedback and questions and are actively planning for an equally engaging Fall and Winter lineup. We are always keeping a close watch on provincial guidelines as our members' safety and security are paramount during these trying times.

We've received inquiries on how other condo boards are adapting and managing during this period and where directors and owners can source professional services. I am pleased to share that CCI-EO has a strong and well-respected professional membership that many of our members have found to be a valuable resource.

When you have a moment, make sure to check out our 'Resource +' tab for the link to our professional and business directory as well as past webinars, trainings etc.

Your Board of Directors is planning this year's virtual Annual General Meeting. We will provide you with more details as soon as they are available.

We are always looking for new directors, volunteers and contributors to our newsletter, so please reach out and ask how you can help your fellow members. This summer, we hope that you take some time and consider becoming more involved in your Board! If you are not sure what kind of involvement you're interested in, feel free to send me an email or reach out to any of our current members of the Board of Directors and we'd be happy to answer your questions.

Throughout the past few months, there have been silver linings: people and condo communities have banded together to help others around them, whether it be assisting with grocery runs (for those in need, at risk, or in isolation) to supporting those on the front lines. These moments have a positive impact on our condo communities and will only help them to grow stronger. When times get difficult, please reach out to others, from a safe distance, to ensure that we come through this situation stronger and better than we were before. The greatest strength of condominium living is its community!

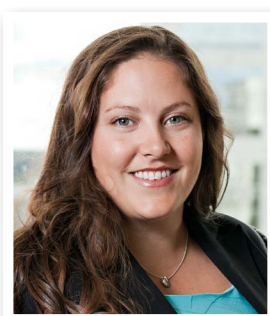
Stay safe and healthy!

Sincerely,
Nancy Houle, president CCI-EO



ADVERTISING RATES

- Don't miss out on promoting your company to the members of CCI-Eastern Ontario Chapter.
- Advertising rates for the quarterly newsletter are as low as \$80 for a business card ad.
- The Newsletter Advertising Rate Sheet may be found on our website at **CCI-EasternOntario.ca**



Cheryl Wood, J.D., Lawyer
Davidson Houle Allen LLP



Michael Lewicki, Broker
Keller Williams Integrity Realty

The last five months have been unbelievable. COVID-19 has had a significant impact on our everyday lives and has resulted in far-reaching changes at the personal, municipal, provincial, national, and world level.

Throughout this time, condominium communities have struggled to stay abreast of the legislation and public health directives that were changing on a daily basis in order to know what steps needed to be taken to keep their communities safe. Amenities were closed, policies were implemented, and communities had to learn a new way of living. In putting together this edition of *CondoContact*, we compiled some key information and resources (from the many blogs and webinars that were put in by members of the Condominium industry during the crisis) that condominiums can use to navigate the crisis.

As we begin to move forward, cautiously, it is apparent that some of the changes that took place over the last few months may be here to stay. One major change that is sweeping the industry is virtual meetings. Has your community had a virtual meeting? What are your thoughts? In this

edition, we hear from Christy Allen on “**Virtual Meetings – Getting Past the Fear**”.

Another area of major change has happened in the employment sector. How do these legislative changes affect condominiums? Ashley Winberg provides helpful information in her article “**Recent Amendments to the Employment Standards Act Regarding Temporary Layoffs and Constructive Dismissal**”.

We hope that you have been able to stay safe and healthy throughout this crisis. Over the next few months, we will hopefully be able to continue to open amenities, increase socialization, and take positive steps forward. At the end of the day, the health and safety of our communities is of utmost importance. We applaud the hard-working staff, boards of directors, managers, and other members of the communities and industry who have come together to help successfully navigate this unprecedented situation.

Sincerely,
Cheryl Wood, co-editor
Michael Lewicki, co-editor

UPCOMING EVENTS

Webinar: Condo Living – 3 Sides to Every Story

September 16, 2020
@ 5:00 - 6:00 p.m. ET

Virtual Annual General Meeting

October 21, 2020
@ 7:00 p.m. ET

Webinar - Fall Director's Course

November 5, 12, 19, 26, 2020
@ 5:00 – 7:00 p.m. ET

Visit the CCI-EO website
at cci-easternontario.ca for detailed information.

Contributing to CCI **CONDOCONTACT** EDITOR'S CONTACT INFORMATION

A benefit of CCI membership is the opportunity to share perspectives with one another by contributing and reading articles in CCI Eastern Ontario's quarterly newsletter *CondoContact*.

If you are a condominium director, owner or manager, and have a unique tale to tell or advice to relay to other condominium boards, let us know! If you are a professional or represent a trade company offering services or product to condominiums and have relevant articles, let us know!

The subject matter should be current, concise and helpful. Topics should relate to management and operations of condominiums and not be of a commercial nature.

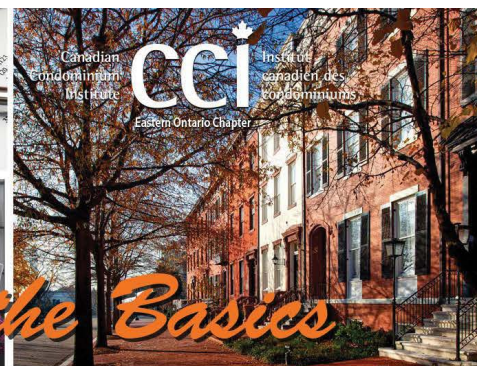
Articles may be forwarded to:

Canadian Condominium Institute
Eastern Ontario Chapter
78 George Street, Suite 204
Ottawa, Ontario K1N 5W1
Email: info@cci-easternontario.ca

Canadian
Condominium
Institute
CCI
Institut
canadien des
condominiums
Eastern Ontario Chapter



Virtual
**EASTERN ONTARIO
DIRECTOR'S
COURSE**



Beyond the Basics

**Beyond the Basics
will dive deep into
legal duties and
responsibilities of
Condo Board
Directors in
Eastern Ontario.**

**If you are volunteering as a Condo Board
Director this is a must-attend course!**

**Join us every Thursday evening in
November for this four-part webinar
series.**

**November 5, 12, 19, 26, 2020
5 pm – 7 pm**



Today Condominium Directors are required to complete a brief and basic on-line course, at a minimum, through the Condominium Authority of Ontario (CAO). CCI Eastern Ontario Director's Training takes you "Beyond the Basics" and is the "Next Step" to dive deep into all aspects of the legal duties and responsibilities of Directors. Over four (4) evenings, experts in condominium law and management will walk participants through detail, case law and practical interpretations. Directors will be provided with detailed PDF materials for reference to support them in their new and important role.



**You can successfully help manage
the affairs of your Condo corporation.**

Canadian
Condominium
Institute

CCI

Institut
canadien des
condominiums

Eastern Ontario Chapter

Register at: <https://cci-easternontario.ca/events/2020/11/05/eastern-ontario-virtual-directors-course-4-part-series-part-1-of-4>



COVID-19 Editors' Summary

Key Information and Resources

During this unprecedented time, CCI-EO, other CCI chapters and many experts in the condominium industry worked hard to stay up to date on the ever-changing developments (from municipal, Provincial, and National health authorities and the changes to relevant legislation). We have reviewed these webinars, blogs, and updates and have compiled various resources that your condominium may find helpful related to various topics.

Webinars to check out:

[CCI-EO – April 16, 2020 Virtual Townhall](#)

[CCI Huronia Chapter – March 24 – June 23, 2020](#)

[CCI National – May 7, 2020](#)

Moving forward....As the province and municipalities lift restrictions, what should condos do?

- **Masks** – These are now mandatory on the common elements in condominiums in Ottawa. All condominium corporations should be reviewing this issue and ensure necessary regulations in your jurisdiction are followed.

- **Amenities** – The following are very helpful in terms of the “Protocols for Re-opening” (if you decide to open some of your amenities):

- [The Province's Stage 2 Framework for Reopening](#)

- [CMRAO's Reopening Guide for Managers](#) (which provides some very helpful ideas in terms of placing limits or restrictions on amenities that are to be opened).
- Other guidelines and sample signage available on the websites of most local health departments.

Selling and Buying – What should we do?

[See - [CCI Huronia Webinar \(April 28 and May 26\)](#)]



Cheryl Wood, J.D., Lawyer
Davidson Houle Allen LLP



Michael Lewicki, Broker
Keller Williams Integrity Realty

- Implement protocols, policies and/or rules to ensure the safety and security of the building and residents. These will need to be followed by owners, residents, real estate agents, and potential buyers.
- Confirm what protocols the listing brokerage(s) have in place for their own agents/brokers and third parties (cleaners, stagers, etc.) – there is a COVID-19 Disclosure form that is used by real estate agents that can be used, so check with the agent involved in the sale.
- Confirm what methods the real estate agents are using for tracking contacts.
- Request contact info from each of listing brokerages of both their management and the lead listing agent(s).

Repairs and Maintenance

[\[See - CCI Huronia Webinar \(April 28\)\]](#)

- Project planning – review your reserve fund and determine what projects must proceed, what projects could be deferred and consult with your experts to ensure that you are prepared once the pandemic ends.
- Discuss with your property manager (or as a board, if self-managed) what needs to be done if a with upcoming projects to ensure safety and security.
- Check your contracts and consider whether additional wording should be added due to the pandemic.

- Review your Reserve Fund Study to see if any large projects in the next 3-5 years are projected and see what kind of contractors may be needed (many businesses are adapting, downsizing, or closing and this could put future projects at risk).
- Consider how to safely complete the review of fire and life safety systems. If it is not possible to access due to safety concerns related to the pandemic, check with your experts to see what steps can be taken. [\[Huronian webinar – June 23, 2020\]](#)

Meetings

- See Christy Allen's article regarding virtual meetings for the **key** deadlines for your condominium's AGM.
- Confirm with your ownership their access to technology (many owners either have limited internet or may have none at all – this can be mitigated with telephone options).
- If you are seeking assistance with a third-party provider, book early!
- Face-to-face meetings are still permitted (up to 50 people indoors and up to 100 people outdoors), provided physical distancing rules are followed.

Other issues

- Have a check-in process with your neighbours who are at risk, older, or have health issues.
- Be aware of aggressive communication from those owners who are typically more reserved or of an increase in inflammatory messages from owners, and ensure that civility and respect are paramount in your replies as many people are having a difficult time dealing with their mental health during these times. Respect and compassion are paramount during these times with our neighbours.
- Cash flow concerns – [check out the May 7, 2020 CCI National Webinar for suggestions.](#)
- Employment – if your condominium corporation has employees, there are some government funds that may assist. Also, keep in mind your obligations as an employer – see Ashley Winberg's article for more information.
- Check out law blogs for helpful ongoing information ■



Recent Amendments to the *Employment Standards Act* Regarding Temporary Layoffs and Constructive Dismissal



Ashley Winberg, Hons. B.A., J.D.
Elia Associates

The *Employment Standards Act* permits employers to temporarily lay off employees for a limited period of time, typically without terminating the employment relationship and instead putting the employment relationship on hold. Under the *Employment Standards Act*, employers can temporarily lay off employees for up to 13 weeks in any consecutive 20-week period or for up to 35 weeks in any consecutive 52-week period (if certain conditions are met). The employer can then recall any employee who has been temporarily laid off back to work at any time before the end of the statutory temporarily layoff period. If the employee is recalled within this time period, then the employment relationship continues and termination entitlements are not owed. Alternatively, if the employee is not recalled within this time period, the employment relationship is deemed to have been terminated, and the employee would be entitled to reasonable notice of termination under the *Employment Standards Act* and/or the common law, whichever is applicable.

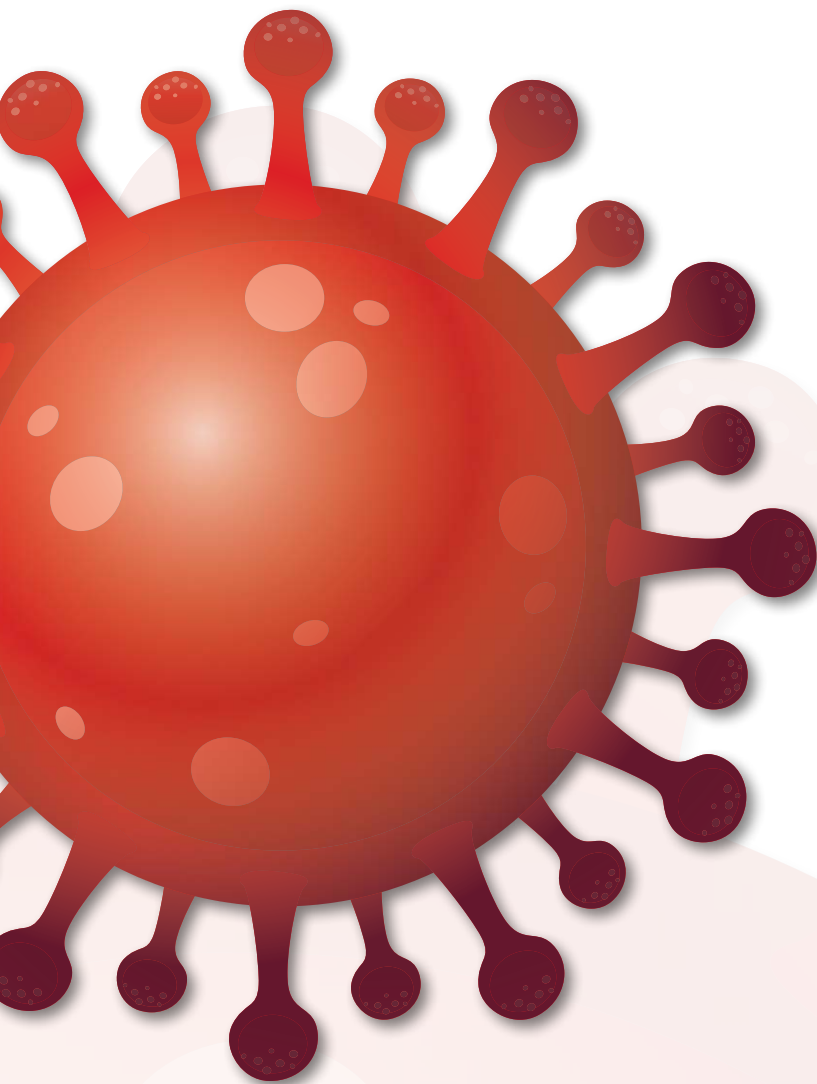
It is important to note that although the *Employment Standards Act* permits employers to temporarily lay off employees as detailed above, at common law, if the employer does not have

a contractual right to temporarily lay off the employee or if the employee does not consent to the temporary layoff, the employee can consider themselves as being constructively dismissed as of the date that they are temporarily laid off and in such an instance, the employee may be entitled to reasonable notice of termination under the *Employment Standards Act* and/or the common law, whichever is applicable.

Ontario Regulation 228/20: Infectious Disease Emergency Leave

On May 29, 2020, the Provincial Government enacted Ontario Regulation 228/20: Infectious Disease Emergency Leave (the “Regulation”) under the *Employment Standards Act*.

The Regulation provides that non-union employees who are temporarily laid off as a result of COVID-19 during the “COVID-19 Period”, which is defined in the Regulation as running retroactively from March 1, 2020 to the date that is six weeks after the date that the state of emergency in Ontario comes to an end, are deemed to be on infectious disease emergency leave under the *Employment Standards Act* during the COVID-19 Period.



The Regulation also provides that non-union employees who are temporarily laid off as a result of COVID-19 during the COVID-19 Period are not deemed to be constructively dismissed. As stated in the first portion of this article, even though the *Employment Standards Act* permits employers to temporarily lay off employees, at common law, if the employer does not have a contractual right to temporarily lay off the employee or if the employee does not consent to the temporary layoff, the employee can consider themselves as being constructively dismissed. Thus, it is unclear what impact the Regulation will have on the common law doctrine of constructive dismissal.

It is important to keep in mind that the common law and the *Employment Standards Act* are two separate legal regimes. Thus, although the Regulation amends portions of the *Employment Standards Act* that pertain to temporary layoffs and constructive dismissal, it unclear whether these amendments will impact the common law's consideration of these issues. For example, if an employee is temporarily laid off as a result of COVID-19 during the COVID-19 Period and their employer does not have a contractual right to temporarily lay them off and they do not consent to the temporary layoff, at common law the employee

could consider themselves as being constructively dismissed and sue their employer for constructive dismissal. However, with the introduction of the Regulation, the employee would be deemed to have been put on infectious disease emergency leave during the COVID-19 Period under the *Employment Standards Act* and their employer's right to put them on such leave would not be deemed to be constructive dismissal under the *Employment Standards Act*.

Because the common law and the *Employment Standards Act* are two separate legal regimes, employers cannot assume that the Regulation justifies temporary layoffs if the employer does not have the contractual right to do so and the employee does not consent to the same. Thus, prior to taking any action it is advised that all employers consult with their legal professionals to assess their risk exposure and their best course of action.

All of the information contained in this article is of a general nature for informational purposes only, and is not intended to represent the definitive opinion of the firm of Elia Associates on any particular matter. Although every effort is made to ensure that the information contained in this article is accurate and up-to-date, the reader should not act upon it without obtaining appropriate professional advice and assistance.

Ashley Winberg is a corporate lawyer who specializes in condominium law in Ontario.

Ashley assists a diverse array of condominium boards and management companies throughout Ontario on all matters relating to condominium governance and management. Ashley's practice is largely focused on complex issues related to shared facilities, human rights, employment, construction, and municipal planning and compliance.

Ashley provides her clients with cost-effective legal solutions and practical implementation strategies, so that her clients have the necessary tools in place to prevent disputes, manage costs and foster harmonious communities. She is truly passionate about shared facilities and works well facilitating and balancing the interests of parties in shared facilities transformations.

As part of her commitment to serving condominium communities throughout Ontario, Ashley is the Chair of CCI Huronia's Communication Committee, a Director on CCI Huronia's Board of Directors, and a member of CCI Toronto's Volunteer Committee and CCI Toronto's By-Law Sub-Committee. Ashley is a frequent speaker and instructor at industry events and courses held throughout Ontario. She also contributes to numerous industry publications. ■



Christy Allen
Davidson Houle Allen LLP



Virtual Meetings... Getting Past the Fear

As most in the condominium industry are aware, as a result of the Emergency Orders issued by the Province in relation to the COVID-19 pandemic and the subsequent legislation amendments, the time by which condominiums were required to hold their annual general meetings was, for many condominiums, postponed. However, now that the Declared Emergency has ended, the extensions to the timing of AGM's under the temporary provisions in the *Condominium Act*, 1998 have been confirmed as follows:

- If the last day by which you could have held your AGM fell on a date within the emergency period (i.e. between March 17, 2020 and July 24, 2020) then it must now occur by **October 22, 2020** (i.e. within 90 days after the end of the emergency period on July 24, 2020).
 - If the last day by which you could have held your AGM fell on a date within 30 days after the emergency period ended (i.e. between July 25, 2020 and August 23, 2020) then it must occur by **November 21, 2020** (i.e. within 120 days after the end of the emergency period on July 24, 2020).
 - If the last day by which your AGM is required to be held falls on a date after August 23, 2020 then it must still be held by the date required.
- [Note: The *Condominium Act* requires that AGM's be held within 6 months of a condominium's fiscal year end. So, the above-noted timelines relate to that 6-month deadline, from your fiscal year end.]

In addition, the following applies with respect to the ability of condominiums to hold their AGM's virtually:

- Any meetings that take place **before** November 21, 2020 (i.e. within 120 days after the end of the emergency period on July 24, 2020) can still be held electronically (even if a bylaw has not yet been passed to allow for electronic meetings), and notice can still be given electronically.
- Any meetings that are scheduled **after** November 21, 2020 cannot be held electronically unless a bylaw is passed to allow for this type of meeting, or the Lieutenant-Governor extends the timelines in the temporary provisions of the *Condominium Act*.

Despite the timelines approaching, there are still many restrictions on gatherings. Currently, at the time of drafting this article, in-person gatherings are restricted to 50 people indoors and 100 people outdoors. There are also ongoing requirements to physically distance and to wear face masks. We've heard that indoor meeting space is difficult to find, and that some condominiums have been required to restrict the number of owners in attendance at in-person meetings (in order to comply with the above-noted restrictions on gatherings).

Many condominiums have elected to proceed virtually – regardless of the extension on timing for AGM's – to avoid the risks associated with gathering owners together physically. There are some, however, that are still concerned about organizing and running virtual meetings and about the costs to hire a third party for these purposes. Now, due to the continued restrictions on gathering sizes and the upcoming deadlines, condominiums that have had reservations about virtual meetings will now seriously need to consider moving forward virtually. We are hoping to persuade these condominium boards that, while they may seem overwhelming and/or intimidating, virtual meetings are not to be feared!

In fact, virtual meetings can provide for greater owner engagement by allowing owners who might not have been able to attend a meeting in-person to participate. For others, participating from the comfort of their own homes means an easier and more relaxed AGM experience.

Virtual meetings come with a learning curve and there is no question that the various options and procedures can at first be daunting. But as with most things, experience and familiarity brings a certain level of comfort. And in our experience, the benefits of a virtual meeting are worth the time and energy associated with becoming familiar, and comfortable, with the technology.

To help alleviate some of the trepidation associated with going ahead with your first virtual meeting, we wanted to offer some of the pointers that we've picked up and applied so far:



YOUR CONDOMINIUM ENGINEERS

www.kellerengineering.com

613.224.1594

**SERVING OTTAWA
& KINGSTON AREAS**



885 Meadowlands Drive Suite 500
Ottawa, Ontario K2C 3N2
info@kellerengineering.com

1. FORUM

Pick your forum for holding your virtual meeting. Many hosting providers (including DHA) have had good success with Zoom webinars (which also allow for raised hands and polls as possible voting options during such meetings, but there are also other options for voting – see below). Zoom is also not the only option – there are some other strong meeting platforms out there. But Zoom does, at this point, appear to be the most popular.

“ If you are prepared and organized, virtual meetings can run very smoothly and can be efficient and fulfilling for everyone involved. But it is important to remember that there is no “perfect” way of running a virtual meeting. ”

2. RUNNING THE MEETING

We’ve found that it’s an excellent idea to have BOTH a Chair and a Host for the meeting. In many cases, this is a key to success. The Chair needs to focus on ensuring the meeting moves smoothly through the agenda. The Host will be responsible for ensuring that the technology runs smoothly, in the background. In addition, having the Host share the screen (to show minutes, financials and other materials) allows the Chair to continue to focus on the meeting while at the same time providing attendees with access to relevant documents and presentations (screen sharing can also help to keep attendees engaged).

3. REGISTRATION

Plan out your registration process to ensure that you have a method of ensuring that you know who is in the meeting and the various voting rights of each of the participants. We like the idea of requiring owners to pre-register for the meeting and/or submit their proxies at least a day in advance of the meeting. Then, we like to prepare a chart with all owners’ names, email addresses, proxy information, and voting rights. This makes scrutinizing of close votes fairly quick and straightforward during (or after) the meeting.

4. VOTING

Determine in advance how you will handle various votes that arise during the meeting. Simple votes can often be done by show of hands. However, if there will be an election or any other vote requiring a secret ballot, we find it’s best to set those up in advance. When we Chair/Host the meeting, we’ve found that the platform “Survey Monkey”, or other such platforms, can be nicely tailored to handle secret ballots. The “survey / voting questions” can be pre-populated and then shared with



all participants, and the votes retrieved, in real time during the meeting. Again, there are other options available, including third party voting services. If the Corporation will be using a third-party provider, book early!

5. TEST RUN

Before the meeting (maybe even the night before), consider having a test run with your board and speakers to test the polls/ voting and ensure that you work out any kinks.

If you are prepared and organized, virtual meetings can run very smoothly and can be efficient and fulfilling for everyone involved. But it is important to remember that there is no “perfect” way of running a virtual meeting. Ultimately, we are all in the learning phase when it comes to virtual meetings, and it really is a matter of simply putting in your best effort as each of us learns what works best for our respective communities.

Christy Allen is one of the founding partners of Davidson Houle Allen LLP.

She provides a full range of corporate and litigation services to condominium directors, managers, owners, and insurers. She also represents co-tenancy associations and gives advice with respect to co-tenancies’ governing documents.

Christy’s work includes building deficiency actions, proceedings involving difficult owners and tenants, collection and lien proceedings, including power of sale, as well as matters involving the enforcement of property rights. She also has experience with construction law. She has appeared on behalf of her clients before the Superior Court of Justice (including the Small Claims Court), the Ontario Court of Appeal, and various administrative tribunals.

Christy is compassionate and personable. She enjoys finding solutions for people, given their circumstances, and doing so in an efficient and practical manner. She relishes the challenge of having a new problem to solve and developing creative ways to tackle it. Most rewarding of all for Christy is the opportunity to have a direct impact on her clients’ lives. ■

NEED BUILDING REPAIRS?

BRICK • BLOCK • STONE • CONCRETE • WOOD FRAME

Balconies - Parking Garages - Foundations
Chimneys - Sidewalks - Driveways - Curbs
Texture Coatings - Sealers - Caulking

Waterproofing above and below ground

Wet Basement Solutions inside and out
Structural Stabilization and Underpinning
Pressure Grouts • Epoxies • Roof Anchors

"Specializing in Highrise Buildings"

Residential ** Commercial ** Condominium
"Engineer Endorsed and Approved"

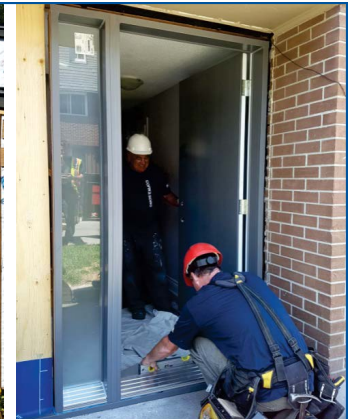
Garrett
RESTORATION SERVICES LTD.
COMMERCIAL & RESIDENTIAL



www.garrettrestoration.com • 2487 Kaladar Unit 105



613.838.2775
www.kottgroup.com



Exterior renovation & repair specialists




Roofing
Siding/cladding
Windows & doors
Interior stairs & rail
Lumber
Building materials

CCI-Eastern Ontario is Part of a National Family – Strength in Numbers!



Constance Hudak



CCI-“National” – a body formed in 1982 to act as the “Condo Connection” from coast to coast. Each chapter contributes a proportion of its revenue as “dues” to National so that it can sustain its activities.

Your Eastern Ontario Chapter is not alone. Just as Condominium Directors locally have relied upon us to provide in-depth information and assistance on all matters “condo” so that they can execute their fiduciary and management responsibilities, there are chapters all across Canada that are doing the same thing. This conglomeration of chapters is “CCI-National” – a body formed in 1982 to act as the “Condo Connection” from coast to coast. Each chapter contributes a proportion of its revenue as “dues” to National so that National can sustain its activities.

Each local Chapter has a representative who sits on National Council, and I have been given the privilege of representing CCI-EO in this capacity. Each year we all meet – representatives from all of the chapters, not to mention delegations from each Chapter Board – and we share successes and challenges. Each province has its own legislation relating to condominiums, and it is not surprising that some provinces have stricter or more demanding requirements for reserve funds, or timing thereof, or Board responsibilities, dispute resolution, etc. This leads to interesting discussion on the differences in condominiums around the country. In addition, there are some geographic

areas that have heavy concentrations of condominiums (Toronto, Vancouver) versus others where there are very few (St John's, NFLD). Clearly the voices of "many" influence legislators more than the voices of "few".

Regardless of location, the responsibilities of Directors are fundamentally the same: the protection and maintenance of the corporation and common elements for all and ensuring a quality of life. Therefore, it is very important to learn what works and to share this information from chapter to chapter and province to province. People are people and the natures of problems are the same – ironically, when it comes to mismanagement or conflict, we are all the same. Therefore, CCI National leads the condominium industry in Canada by providing education, information, awareness, and access to expertise by and for members. It is a clearing house and research centre on condominium issues and activities, offers education and research, and lobbies provincial governments and advocates for standards.

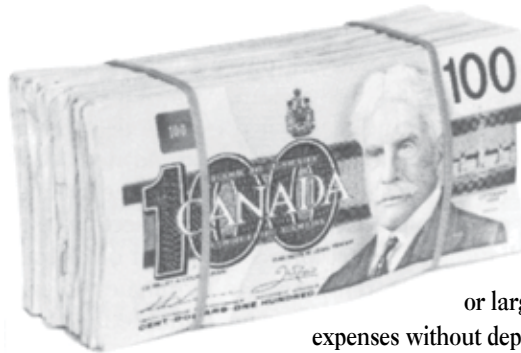
What are some examples of this work? First, I would direct you to CCI National's Resource Centre – <https://cci.ca/resource-centre/overview>. The Centre is a wealth of information from coast to coast: all education, all seminars, court rulings and precedents, etc. Second, standards in education are continually being worked on – we have established what a base line course (level 100) should cover for all Directors regardless of province; the baseline is then "adjusted" to reflect provincial parameters. Standards and format for other training such as "CondoStrength" were developed and launched across Canada. They are now being further refined. Most recently, the focus for sharing has been on COVID-19 – and its impact on the condominium world. Each Chapter stepped up, disseminated information, and we all learned from each other.

It is very rewarding and useful to be part of a larger entity and to know that you can rely on and learn from another chapter anywhere in the country. It's your condominium family, and as a member of CCI-Eastern Ontario, you are automatically a member of CCI National. Go to its [website](#) and mine this pan-Canadian information. ■

CCI Eastern Ontario Chapter Remains Socially Conscious

With many people in the Eastern Ontario Region affected by COVID-19, CCI-EO is pleased to have made a contribution to the Ottawa Food Bank.

The Buck Starts Here.



Wondering where to get the bucks for unexpected or large repair and maintenance expenses without depleting your reserve funds or facing unpopular lump-sum assessments? The buck starts with CondoCorp Term Financing™

Condominium corporations can pay large repair bills over time, in convenient monthly installments. Almost any type of project can be financed from the garage to the roof, inside or out.

The buck starts here, with CondoCorp Term Financing™ so you can get your repair, upgrade or retrofit done right away, before it gets worse and costs go even higher. Call for more information and a list of satisfied customers.

CondoCorp Term Financing™ from



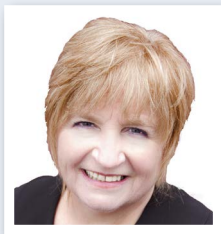
MORRISON FINANCIAL
SERVICES LIMITED

(416) 391-3535



CCI Director Interviews

(This could be you!)



Lana Barnes



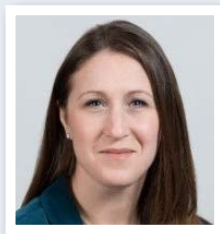
Richard Elia



Mike Lewicki



Justin Tudor



Andrée Ball

What do you do?

Lana Barnes: I have been a real estate Broker for 21 years. For 11 of those, I owned my own brokerage in Cornwall, Ontario. Today I sell real estate, and I am also a DISC Human Behaviour Consultant and teach, train and coach Brokers and Sales People on personality communication.

Richard Elia: Lawyer

Mike Lewicki: Real Estate Broker

Justin Tudor: I'm President, an engineer, and a reserve fund planner with Keller Engineering.

Andrée Ball: Director of Client Relations for Keller Engineering

How did you become involved with condominiums?

Lana Barnes: I purchased a condominium as an investment in 2011, and in 2014 I was elected to two condominium boards that I still sit on. In 2016, we became a self-managed board, and it has been a learning curve since then.

Richard Elia: I almost didn't. In 1994, I was invited to article at a firm that specialized in Condominium Law. I almost declined, wondering who would want to practice in such a narrow field. I ultimately didn't, and it certainly isn't. I have never had any regrets.

Mike Lewicki: I realized there was limited training and incomplete knowledge resources for condominiums within the Ontario real estate industry, and I quickly realized that CCI-EO was the source to supplement what I need to better support my clients and industry.

Justin Tudor: My first exposure was as a reserve fund planner, learning the compositions of condominium structures and how they fund their maintenance and replacement requirements.

Andrée Ball: When I was a property manager, it was so important for me to ensure that board directors were provided with education that would support them in their role on the board.

What are the key challenges that you see for condominiums right now?

Lana Barnes: Staying informed of all the changes to the Act. The new regulations from the CAO and having to use the new forms.

Richard Elia: Balancing the interests of the community as a whole versus the interests of the individual unit owner. This has been made more difficult with the 2017 amendments to the *Condominium Act*, coupled with the lack of any education of unit owners. The 2017 amendments tackled education of Directors and Managers – there is an ever-rising bar to be met by condominium corporations and the Directors and Managers involved with them. However, there was no legislative direction to increase unit owner/resident knowledge (a goal that CCI had advocated for in the 2017 amendments). Without some way of educating owners as to the rights and obligations associated with condominium living, the same conflicts will keep arising.

Mike Lewicki: How to balance the ever-changing dynamic of the condo owners who want more personal freedom as owners with the benefits of condominium living and the needed restrictions within it.

Justin Tudor: Ensuring adequate director education and training for a volunteer board within an ever-changing industry.

Andrée Ball: not available for comment due to planning amazing condo conferences!.... but likely - COVID-19

What do you hope to accomplish on the Board this year?

Lana Barnes: I am on the membership committee and I would like to see us increase the membership back up to where it was and more.

Richard Elia: My personal goal is to be able to keep up with the enthusiasm brought to the table by the other volunteer directors. It is a fabulous Board to work with. Looking outward, I hope to see CCI recognized, both at the condominium corporation level and at the Ontario Government level, for the value that it brings to education of condominium directors and unit owners.

Mike Lewicki: To increase our membership by showing the greater condo community of Eastern Ontario what we have to offer to Condo Boards and individual owners alike.

Justin Tudor: Complete a major membership renewal drive and expanding the benefits to our business partners.

Andrée Ball: Increase attendance at our seminars and conferences.

What is your favourite program or seminar that CCI-EO hosts?

Lana Barnes: My favourite program is a hard one as every seminar that we have is incredible. I will have to say that the Directors Courses (two day) are amazing as it certainly opened my eyes to many things I was not aware of and I brought these back to my boards and implemented them. Lol, we don't know what we don't know.

Richard Elia: Without question, the Intro to Condos course. The course is quite intimate for those attending, allowing specific condo issues/challenges to be addressed. Also, in just a few hours, there is often a realization of sorts to the question of "how do you know what you don't know?".

Mike Lewicki: Lawyers, Guns & Money! I've looked forward to it every January as my reminder why CCIEO is vitally important as a knowledge resource to our members.

Justin Tudor: OPEN MIC – where members of condo boards present issues they have ran into and addressed while leading a discussion amongst attendees.

Andrée Ball: The Ottawa and Kingston Condo Conferences.



What's your favourite hobby or activity?

Lana Barnes: I like to travel, read, spend time with my granddaughter, and camp with my friends.

Richard Elia: That's easy: Building/Re-building anything – preferably with my kids and father. We are just about to start re-building a very tired 48-year-old Opel GT – meaning that we are heavily into the learning and planning phase. It will be some time before we start taking this car apart. Immediate past projects include a model showing the movements of an internal combustion engine, a Corvette made from Lego, and a 1972 Triumph GT6.

Mike Lewicki: I like to visit antique shops and flea markets and collect straight blade/cutthroat razors, refurbish them and use them for personal use. I enjoy researching the different types of blades and manufacturers – it's like having a daily reminder of history.

Justin Tudor: Skiing with my kids.

Andrée Ball: Shoe shopping of course!

If you had a superpower, what would it be?

Lana Barnes: If I had a superpower, it would be getting people to follow instructions. Sometimes trying to get owners to follow directions for their benefit is like pulling teeth.

Richard Elia: The ability to open minds suffering from "my mind's made up, don't confuse me with the facts" syndrome.

Mike Lewicki: Ability to find a parking spot anywhere downtown!

Justin Tudor: The ability to know exactly where lost items are.

Andrée Ball: Mind control. Muahahahaha. ■

New Members



WELCOME TO THE FOLLOWING NEW CCI EASTERN ONTARIO CHAPTER MEMBERS

BUSINESS PARTNERS

Mascon Restorations
Normac
Condominium Financial

PROFESSIONAL PARTNERS

Andre de Loe
Albert Celli
Matej Nikolic
Emily Deng

INDIVIDUAL MEMBERS

Brian McDonnell
Ian Mumford
Andrew Barker
C. Kent

CORPORATE MEMBERS

SCC 0006
OCSCC 1008
Ottawa Carleton CC 0894
SSCC 0015

CCC 0527
Frontenac Condominium
Corporation 0052

CONDOCONTACT

CANADIAN CONDOMINIUM INSTITUTE
Eastern Ontario Chapter

2019/2020 BOARD OF DIRECTORS



PRESIDENT

Nancy Houle, LLB
Davidson Houle Allen LLP

VICE PRESIDENT/EDUCATION CHAIR

Constance Hudak, MBA
National Representative

TREASURER/MEMBERSHIP

Stephanie Courneyea, CGA
McCay Duff & Company LLP

SECRETARY

Andrée Ball
Keller Engineering

DIRECTOR/MEMBERSHIP

Lana Barnes
Exit Realty Matrix

DIRECTOR/EDUCATION

Richard Elia, B. Comm., LL.B,
LL.M (ADR), ACCI
Elia Associates PC

DIRECTOR/MEMBERSHIP/

NEWSLETTER EDITOR/

COMMUNICATIONS/SOCIAL MEDIA

Michael Lewicki

Terra Firma RE [Keller Williams Integrity Realty]

DIRECTOR/EDUCATION/MEMBERSHIP

Shelley Seaby, RCM

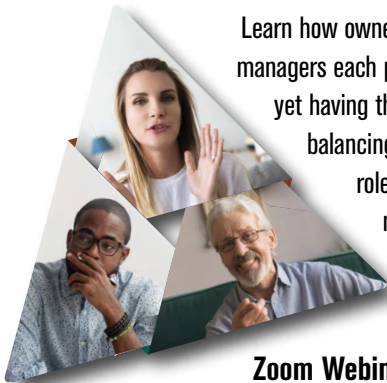
Condominium Management Group

DIRECTOR/MEMBERSHIP CHAIR

Justin Tudor, P.Eng.

Keller Engineering

Condo Living – 3 Sides to Every Story



Learn how owners, directors and property managers each play a role in being an ally, yet having their own story. It will cover balancing the mental health of each role and the opportunity right now, with everyone “home”, to make the community even stronger.

Zoom Webinar

Wednesday, September 16, 2020

5:00 pm - 6:00 pm

Speakers:

Jim Davidson, Founding Partner, Davidson Houle Allen LLP

Constance Hudak, Vice President, CCI-EO Chapter

A.J. Keilty, President & CEO, Alwington Communities



Register online at:

<https://cci-easternontario.ca/events/2020/09/16/condo-living-3-sides-to-every-story>

ALL CONDOMINIUMS ARE LEGALLY REQUIRED TO FILE CONDO RETURNS

Under the *Condominium Act*, 1998 (the Act) and Ontario Regulation 377/17, all condominium corporations are legally required to file condominium returns with the Condominium Authority of Ontario (CAO).

Any condominium corporations that have not yet filed their returns with the CAO and paid their annual assessments, must act immediately to avoid legal consequences for not complying with the Act, including late penalties.

PLEASE CONTACT THE CAO AT:

416-901-9356 or

toll-free: 1-(800) 854-9014

? Did your corporation undertake any important projects recently?

? Do you have a success story?

? Did you learn lessons the hard way?

Whether you are a director or a property manager, please do share these valuable stories. Feel free to contact CCI and we will assist you in writing your article.

By sharing your experience we learn from the past and improve our collective futures.

info@cci-easternontario.ca



CCI IS ON FACEBOOK!



Keep up to date on what's happening across the country with CCI-EO by becoming a fan.

—● Search:

- Canadian Condominium Institute – Eastern Ontario
- National Office

The more fans...the more condominium information that we'll get out there.

✓ BECOME A FAN TODAY!!

✓ Find us on Facebook

Supporting Your Community.



ELIA ASSOCIATES
CONDOMINIUM LAWYERS
CONDOCENTRIC.ca

1

Serving all of Ontario with offices in Oakville, Barrie, Toronto and Ottawa

Toll-Free: 1.866.446.0811 | **Email:** info@elia.org



/condocentric



@condocentric



/condocentric

ELIA ASSOCIATES PC
BARRISTERS & SOLICITORS

**Condominium
Lawyers**

Simply the Best Condominium Insurance Choice



Over 35 years serving professional
condominium managers and
providing the best protection for
corporations and condo owners.

For a Corporation Quote
877.627.6222
atrens-counsel.com

For Unit Owners Protection
Visit condogold.ca



**Atrens-Counsel
Insurance Brokers**

Part of Arthur J. Gallagher Canada Limited