

Volume 30

CONDOCONTACT

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2021 – Looking Back at Changes and Developments in Condominium Law



YEAR IN REVIEW:
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LOOKING FORWARD
TO 2022

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Volume 30


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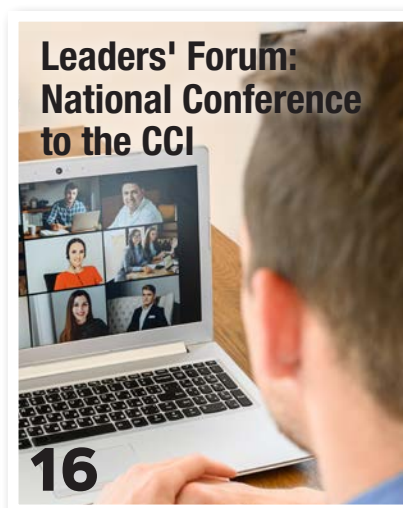
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Nancy Houle, LLB
President, CCI Eastern Ontario
Lawyer/Avocate
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For the past 22 months, the condominium community and industry – directors, owners, service providers, and legislators alike – have had to react and adapt to an ever-changing environment! Almost two years into the global pandemic, notwithstanding that there continues to be uncertainty, we must all take the time to reflect on what we have learned through these unprecedented times and look to the future to see what where we can improve. This is a necessary activity for good planning and stewardship.

At the CCI=EO Chapter Board level, we have been fortunate to have a constant and varied pool of amazing candidates at each annual election. Our members have benefited greatly from the tremendous talents and ideas brought to the table by all of our new Board members over the years.

We were also fortunate, in 2021, to receive the benefit of guidance and input from our newly formed Management Advisory Committee. The insight from this group has been incredibly valuable as we work towards providing the best educational opportunities for our members.

One of our goals in 2022 is to increase engagement with our members, and to open opportunities for those who would like to be involved. We know that there are members in our community who are unsure of what being a CCI-EO Board Member involves or are not sure of how to become involved in our chapter. We hope to engage those members, and we'd like to suggest that 2022 be the year of: *What if?!*

We want you to consider 2022 as the year of engagement and opportunity, and "what if" you were to consider running for the role of director, joining a committee, or volunteering at one of our (future) in-person events. What would that look like to you, what committees could you see yourself helping with, or could you envision joining the Board of Directors?

We hope that you will reach out... contact our administrator, a volunteer, or a member of the Board! We hope to continue to grow and enrich the CCI-EO Chapter, and we hope that you will be part of it!

On behalf of your CCI-EO Board, Volunteers, and Administrative Staff, I wish you all a safe and happy holiday season!

And... I hope to actually see you all at an in-person event in the coming months!

Sincerely,
Nancy Houle, President CCI-EO

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How is it December already? This year seems to have flown by!

This edition of *Condo Contact*: "A Year in Review" looks back at 2021 and the interesting events and changes in condo land. We also look forward to 2022 and what condo land can look forward to. Our articles focus on:

LEGAL: 2021 – A LOOK BACK AT CHANGES AND DEVELOPMENTS IN THE LAW IN 2021

Graeme Macpherson's article reviews some key topics from 2021 including masks, vaccines, the expansion of CAT, and legal chargebacks.

LEGAL: 2022 – A LOOK FORWARD AT WHAT TO EXPECT (OR HOPE FOR) IN 2022

Jim Davidson's article looks at the upcoming changes to CAT jurisdiction and rules, the insurance crisis, Tarion, the pandemic and virtual meetings, and some other amendments to the *Condominium Act*, 1998 and Regulations.

YOUR BOARD'S PERSPECTIVE ON 2021 AND WHAT THEY ARE LOOKING FORWARD TO IN 2022

You hear from your eight CCI-EO Directors with their perspective on the past year and 2022.

IN THIS ISSUE, WE ALSO HAVE THE FOLLOWING FEATURES:

- CCI National Update;
- Management Advisory Council profiles – let's get to know some of the members;
- Editor's summary – an information round-up of webinars and articles from CCI National and other chapters.

We hope that you enjoy this edition of *Condo Contact*!

Don't forget, if you have a burning question, submit it for our next edition of Q & A.



WELCOME TO THE FOLLOWING NEW CCI EASTERN ONTARIO CHAPTER MEMBERS

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2021 – LOOKING BACK AT CHANGES AND DEVELOPMENTS IN CONDOMINIUM LAW



Graeme Macpherson,
Lawyer, Gowling WLG

Well, just like that, another year has passed us by. 2021 certainly had its ups and downs and can't be accused of being a boring one! A lot of big things happened in health, world politics, and of course, condo law. While of course it is impossible to list every condo law development that has occurred over the last 365 days, in our view, some of the main updates can be broken down into four categories:

Masks in Condos

Over the course of the pandemic, condominiums across Ontario began passing mask policies for the protection of its residents and occupants. In general, these policies required occupants to wear masks while in the common elements or while using common amenities.

Condos have the authority to make and issue health-related policies

In March 2021, in Burlington, ON, one of these mask policies became the subject of litigation when two owners at HCC 77 refused to wear a mask in accordance with the condo's policy.

Ultimately, the owners were ordered not to be on any part of the common elements without a mask, as exercising in the halls or visiting other floors in the building without a mask constituted dangerous activity in breach of section 117 of the Condominium Act. As such, the Court issued a compliance order and a permanent injunction prohibiting the owners from doing so.

However, the Court carved out an exception permitting these owners to transit through limited common elements without a mask, but only for the purpose of egress and ingress by the most direct route.

We learned a few very important lessons from this case:

- Condos have the authority to make and issue health-related policies, including mask policies (so long as such policies are in conformance with local by-laws);
- In the context of the pandemic, developing and promulgating a mask policy is necessary;
- Condo boards have the right, and indeed the obligation, to insist upon conduct by residents that does not place the other residents at undue risk;
- Owners must conduct themselves in accordance with the rules of the community with due respect and consideration for their neighbours. This is particularly acute in the context of a pandemic where not wearing a mask may potentially have serious or deadly consequences for one's neighbours.

You can read the case for yourself at: <https://www.canlii.org/en/on/onsc/doc/2021/2021onsc2071/2021onsc2071.html?autocompleteStr=mitrovic%20halt&autocompletePos=1>

Since this case, there have been a few more cases about such policies, which have confirmed the points above, but this was the case that started it all.

Vaccinations in Condos

One of the other big policy questions that condominiums had to consider was whether condos should, or could, require proof of vaccination to allow access to their amenities.

However, the Provincial regulations with respect to vaccines are worded in such a way that the condominium industry has, in general, reached a consensus that condominiums are not required to request proof of vaccination of its residents.

Indeed, the regulations provide that the person responsible for a business or **organization** must require that each “patron” provide proof of full vaccination at the point of entrance to access certain amenities, including gyms and fitness centres.

The industry has independently come to the consensus, for the time being at least, that the term “patron” does not include condominium residents. As such, the requirement to obtain proof of vaccination does not apply to them.

Condominiums are not required to request proof of vaccination of its residents

Does this mean that condominiums are not entitled to request proof of vaccination? Maybe not—although there can be no doubt that vaccination verifications would pose serious logistical challenges for condominiums. These challenges can likely be avoided by opting instead to close amenities during unsafe times.

The Expansion of the CAT

Towards the end of 2020 (on October 1), the Condominium Authority Tribunal expanded its jurisdiction beyond records disputes to include disputes regarding pets, parking, storage, and chargebacks for these items.

It has been incredibly interesting to see how the CAT has responded to this expanded jurisdiction. The main takeaway is that while the jurisdiction may, at a glance, still seem quite restricted, it goes much further than one may initially think.

For example, the CAT’s new jurisdiction has given it the authority to order that:

- Pets (and even service animals) may be evicted from a condominium (check out [PCC 96 v Psosimis, 2021 ONCAT 48](#) and [HSCC 490 v Pajkin, 2021 ONCAT 95](#));
- Purported amendments to a declaration were invalid and unenforceable (see [TW Cross Investments v PSCC 1052, 2021 ONCAT 58](#)); and
- While a condominium may label something as a “Policy”, it may in fact be a rule, which in turn, may not be enforceable (see [Boodram v PSCC 843, 2021 ONCAT 31](#)).

We are also seeing the CAT beginning to award the successful party its legal costs if there are exceptional reasons to do so.

It will definitely be interesting to see how the CAT’s jurisprudence continues to develop in 2022 when its jurisdiction expands again to include nuisance!

Clarification on Legal Fee Chargebacks

As many of our readers will know, in 2020, there was a bit of an upheaval in the condominium industry that has called into question how condominiums can charge back owners for legal fees related to enforcement of the condo’s governing documents.

Most condominiums’ declarations contain a provision confirming that any legal fees that the condo incurs in enforcing its governing documents can be charged back to the offending unit in the same manner as a common expense. In 2020, the *Amlani* decision casted a shadow of doubt on this. This case has been discussed at length, so we will not summarize it here. However, its ultimate suggestion seems to have been that in order to charge back enforcement-related legal fees in the same way as common expenses, a Court order would first be required.

This case seems to have recently been confirmed in [OCSCC 671 v Friend, 2021 ONSC 7379](#). In this case, the Court found that notwithstanding the condo’s indemnification provision in its declaration, the condo was not entitled to charge its enforcement-related legal fees to an owner in the same manner as a common expense. In order to do so, according to the Court, a court order is first required.

However, 2021 also gave us another very important decision which confirmed that there is a difference between legal fees related to enforcement and legal fees related to collection of common expenses. In [O’Regan v CCC 169, 2021 ONSC 945](#), the Court clarified that condominiums are entitled to charge back the legal fees they incur in association with collection of outstanding common expenses. This includes legal fees associated with collecting on chargebacks.

In *O’Regan*, the condominium registered a lien against an owner in respect of costs it incurred to repair units and common elements after the owner caused a fire in his unit. The condo naturally charged its associated legal fees back to the unit. The owner contested this in court, unsuccessfully.

So where does this all leave us?

- Condominiums continue to have a duty to enforce the *Condominium Act* and their governing documents;
- Condos should budget for some legal expenses associated with such enforcement that they may not be guaranteed to recover (especially for smaller compliance matters where a Court application is not required);
- Condominiums can continue to charge back the legal fees they incur that are associated with their collection, or attempted collection, of common expenses.

We know that this is all a lot to unpack. Naturally, we are not able to refer to every development in condominium law in this article, nor are we able to expand fully on each topic referenced. However, we hope this summary of the year provides some starting guidance on these issues.

Here’s to another year and many more interesting ones to come!

Graeme Macpherson has been a lawyer at Gowling WLG since 2018, where his practice focuses on civil and commercial litigation, with a particular emphasis on condominium law. As a large part of his practice, Graeme advises and assists condominium corporations, unit owners, boards of directors, and property managers with a number of matters, hosting meetings (both virtual and in-person), collections, rule disputes, and documentary drafting/interpretation. Graeme also represents clients in a wide variety of other commercial litigation matters, including contractual and statutory disputes. ■

Information Round-Up: Editors' Summary

Here's our summary of helpful webinars and other resources from CCI chapters.

Have you seen a webinar, article, or blog post that helped your condo? Let us know at info@cci-easternontario.ca

WEBINARS TO CHECK OUT: PAST

- CCI Eastern Ontario – [Tips and Tricks from Industry Experts on CAT Process and Newly Expanded Jurisdiction](#)
- CCI Eastern Ontario – [Tools and Tips to Try to Mitigate Increasing Insurance Costs and Risks](#)
- CCI Eastern Ontario – [When to Make the Call](#) (Engineering)
- CCI Eastern Ontario – [Legal Panel – Your Favourite Legal Experts](#) (Part of CCI EO Education Extravaganza)
- CCI Huronia – [Technology in Condos](#)

UPCOMING:

- [January 20, 2022](#) – CCI Manitoba – Reserve Fund Study and Energy Efficiency
- [January 25, 2022](#) – CCI London & area – Condominium Authority Tribunal (CAT) – Let's talk cases
- [January 26, 2022](#) – CCI Eastern Ontario - Lawyers, Guns, and Money
- Spring 2022 – CCI Eastern Ontario – Director's Course

RESOURCE CENTRE (CCI NATIONAL):

- [Decisions from the Court](#) – CCI Toronto
- [The Challenge of Aging Buildings](#) – CCI Grand River
- [The Shortage Economy and its Effects on Condos](#) – CCI London

RECENT CASES:

Are you curious about recent case law from across Canada? Check out [Condo Cases Across Canada](#), published by Jim Davidson, exclusively for CCI members!

Also

don't forget the law blogs out there providing timely and relevant information related to the condominium industry.

LOOKING FORWARD TO 2022



James Davidson, Lawyer
Davidson Houle Allen



As we near the end of 2021, we naturally look forward to 2022.

1. Expanding Jurisdiction of the CAT

Effective January 1, 2022, the *Condominium Act, 1998* will be amended to include some specific prohibited **nuisances**. A new Section 117 (2) will be added to the Act, along with a new Section 26 of Regulation 48/01. The effect of these amendments will be to prohibit unreasonable noise, odour, smoke, vapour, light, or vibration causing a nuisance or disturbance to others on the property.

The Condominium Authority Tribunal (CAT) will have jurisdiction over disputes respecting any such alleged nuisances. ***This will be a dramatic, further increase in the CAT's jurisdiction.***

I should add that Section 117 (1) of the Act (with some amendments) will continue to prohibit more dangerous activities and conditions, going beyond mere "nuisance". And the Courts will still have jurisdiction over disputes under Section 117 (1).

2. A Change to the CAT's Rules Respecting Costs

The CAT's Rules of Procedure currently state that **"the CAT will not order a User to pay to another User any fees charged by that User's lawyer or paralegal, unless there are exceptional reasons to do so"**.

As a result, a losing party (at the CAT) is generally not ordered to pay any of the costs incurred (for the CAT process) by the winning party,

apart from the winning party's fees paid to the CAT. In my view, there are some important negative consequences:

- There is a long-standing (and in my view, reasonable) principle in condominium law that costs incurred because of a violation by an owner should be the responsibility of that owner... in order to protect the innocent owners from such costs. Most condominium corporations also have "indemnification" provisions in their governing documents that confirm this principle. The above CAT Rule defeats this principle.
- The risk of having to pay costs is an important settlement incentive. If there is no significant risk of having to pay costs (in the event of an unsuccessful result), the parties will be less inclined to settle, and this will result in excessive CAT hearings.
- The risk of having to pay costs (in the event of a violation) also serves to encourage compliance (for the benefit of the condominium community as a whole). Violators who are reminded (in warning letters or demand letters) of the "cost risk" are often much more inclined to comply.
- The reduced cost risk also increases the opportunity for vexatious or frivolous applications (including cases where the frivolous or vexatious nature is not clear or obvious).

Thankfully, it appears that the CAT may have recognized the above negative consequences... and is currently exploring a possible

amendment to the above-noted CAT Rule. Hopefully, we will see an amendment soon.

3. The Insurance Crisis

Premiums and deductibles (on condominium insurance) are increasing drastically, and many condominium corporations are even having difficulty obtaining any insurance at all. Thankfully, the province of Ontario has recognized the existence of this crisis in condominium insurance. As a result, the province is seeking feedback from the public... and changes are likely in the offing. Among other things, I think we may see the following:

- The *Condominium Act* may be amended to entirely eliminate the obligation upon condominium corporations to arrange insurance for standard units. Instead, the Act might say that condominium owners must arrange all insurance for their units (perhaps with certain minimum insurance requirements). At the same time, the Act might say that owners must repair their units (rather than only allowing the Declaration to say so).
- Alternatively, the Act may be amended to introduce a “statutory” standard unit description which excludes finishes and other features (like flooring, cabinets, baseboards, etc.) which are at higher risk of insured damage. Those features would then be considered “improvements”, to be insured by the owner in every case.
- At the same time, condominium corporations may be required to arrange periodic “insurance risk assessments” (to be carried out by an appropriate expert)... perhaps in tandem with reserve fund studies.

4. Tarion

In October of 2019, Ontario's Auditor General issued a “Special Audit of the Tarion Warranty Corporation”. The audit included the following “overall conclusion”:

Our audit concluded that Tarion's processes and practices do not always conform to the spirit or intent of the Ontario New Home Warranties Plan Act. Tarion lacks effective processes and standards to consistently fulfill its dual mission of enforcing home warranties and regulating builders.

One key recommendation that has been implemented was the recommendation to establish a separate licensing and regulatory body for home builders. Effective February 1, 2021, the Home Construction Regulatory Authority was designated to serve this purpose. However, many of the recommendations are “still pending”. I think we may see some additional improvements to Ontario's new home warranty program in 2022.

5. The Pandemic and Virtual Meetings

History tells us that pandemics don't last forever. The COVID-19 pandemic is now about two years old, but the variants of the virus just seem to keep coming. I'm certainly not qualified to offer any predictions about when this pandemic might end. But let me say this:

As time goes by, and particularly if the virus becomes endemic (to many or most parts of the world) – as many experts predict – I think we may see some return to in-person meetings (if and when they are felt to be “safe enough”). I still think that virtual meetings will continue. In fact, I think we may find that most meetings, going forward, will

History tells us that pandemics don't last forever.

be virtual meetings (or sometimes hybrid meetings – allowing both in-person and virtual attendance). The fact of the matter is that virtual meetings have some significant advantages in terms of time savings and convenience.

6. Some Other Amendments to the Condominium Act and Regulations

There is a long list of amendments “still to come”. Here are some of the amendments that I think we **might see in 2022**:

- It will be possible to charge an owner for actual expenses (caused by the owner or an occupant of the unit), and to add those amounts to the owner's common expenses, if this is permitted by the Declaration. [This should hopefully resolve some of the confusion and difficulties created by the *Amlani* decision!] ALSO: Owners will be given a specific opportunity to challenge such chargebacks.
- Shared Facilities Agreements are to be mandatory in many cases.
- New Procurement Processes (tendering) will be required for certain contracts (to be prescribed).
- There will be significant changes respecting Directors to be elected by “non-leased owners”.
- There will be increased disclosure obligations for Declarants – including specifics about First-Year Reserve Fund budgeting.
- There will be more detail in relation to claims for First-Year budget deficits (including detail respecting calculations for phases of Phased Condominiums).
- Reserve Funds: Will have additional permitted purposes. There will also be a specific definition of “adequate”. In addition, an expert opinion will be required if the Reserve Fund balance falls below a certain prescribed amount.
- Common Element Modifications: There will be revisions to “minor changes” that fall within the Board's authority. There will also be added detail about calculating the “cost” of a change.

James Davidson is one of the founding partners of Davidson Houle Allen LLP. Jim has been practicing condominium law for over 35 years. He represents condominium corporations, their directors, owners, and insurers throughout Eastern Ontario. His experience also includes building deficiencies, shared property interests, co-ownership and construction law. Jim is proud to be an associate (ACCI) and also a fellow (FCCI) of the Canadian Condominium Institute. ■



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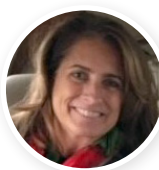
YEAR IN REVIEW: CCI-EO DIRECTORS' EDITION



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Michael Lewicki

What is your 'Rearview Mirror' view of the world of Condos from the past year?

Nancy Houle: Every member of the condominium community, from owners, to directors, to service providers, has faced issues and challenges that most of us never contemplated – virtual meetings, closing/opening of amenities, vaccination debates and dialogue. It has been a difficult and exhausting year for many in the community, but as we see a light at the end of the tunnel, I think we are also starting to see that there are some positive lessons and technological advances that will help the industry grow and improve as we move forward into 2022.

Constance Hudak: The pandemic has put increased pressure on Boards in all respects; the requirement to implement policies on safety and “quality of life” (distancing, masking, restricted use of shared facilities), in addition to unplanned increases in costs on all fronts due to supply chain and labour impacts on how and when repairs and replacements took place.

Shelley Seaby: It has been a whirlwind of new challenges mainly brought on by the pandemic. Condos have had to navigate new “uncharted” territory.

Jonathan Wright: A lot of navigating new waters! Trying to navigate and balance the closing of common elements and amenities,

opening up common elements, possibly restricting navigating vaccine requirements and the rights of residents not to be vaccinated.

Eileen Boles: As a Condominium Manager this past year, well, let's just say it has been interesting. From navigating COVID-19 and its effect on how we use the common elements, screening of staff and contractors, implementation of policies, the list goes on, to dealing still with the insurance crisis. The positive in all this? No two days are the same.

Noah Johnston: The world changed, and as a result, condominiums have changed. A big takeaway has been the need to make condominiums a healthy community in which people live and now work alongside one another. Community engagement is and will continue to be paramount to condo living.

Michael Lewicki: The past year has provided the condo community the opportunity to fine-tune the processes they put in place in 2020, to see what worked and what needed revamping.

What is one major challenge facing condos that happened in 2021 that you see still being a challenge in 2022?

Nancy Houle: The dramatic increase in costs for goods and services.

Constance Hudak: Huge insurance premium increases.

Shelley Seaby: Navigating the requirements to ensure residents' safety as it pertains to COVID. There continue to be mixed messages for condominium communities.

Jonathan Wright: Affordable Insurance Premiums.

Stephanie Courneyea: Rising insurance costs and limited availability/options will continue to be an issue for condominiums.

Eileen Boles: Insurance. Premiums and deductibles are still increasing, even for condos that have not had claims. Then the replacement values, due to the cost of material and labour in the construction market, is also contributing the insurance "crisis".

Noah Johnston: The labour shortages and challenges have had a big impact on condominiums, not only from a supply chain perspective but also to be able to find staff to manage and operate buildings.

Michael Lewicki: The rising cost of labour and materials is something that will have to be considered for reserve fund studies and what kind of an impact that will have on current and future projects.

What is one triumph that you feel the condo world experienced in 2021?

Nancy Houle: I feel like the industry grabbed the technological reins in 2021! We are seeing technology (even beyond just virtual meetings) being used in so many ways to increase engagement and reduce costs.

Constance Hudak: Most condominium corporations weathered the "pandemic" storm and developed stronger senses of community and self-reliance.

Shelley Seaby: Vaccines!

Jonathan Wright: Board Members refining their technical expertise in their ability to conduct virtual meetings, allowing a greater audience to be reached for everything from townhall meetings to AGMs.

Stephanie Courneyea: Despite all the challenges presented by the pandemic, the move to virtual meetings has seemed to result in better attendance at AGMs and more interest in condo matters as owners are able to attend from the comfort of their homes.

Eileen Boles: COVID-19! Weird answer, maybe, but we were confronted with a challenge and condos did a great job of navigating an unprecedented event.

Noah Johnston: The ability to embrace technology and prove many things can be done over video conferencing!

Michael Lewicki: A lot of things that were done for years "because that was the way it was always done" were quickly changed and adapted, resulting in better service to owners by their boards and management teams.

What is the one thing for condos, that you're looking forward to in 2022?

Nancy Houle: I am excited to see how hybrid meetings will evolve!

Constance Hudak: Continuing to take advantage of virtual communication and meetings.

Shelley Seaby: Virtual annual general meetings.

Jonathan Wright: Hybrid Meetings!

Stephanie Courneyea: Continued improvements to and added variety of topics/seminars for director education.

Eileen Boles: Getting back together in person – seeing actual people, not just a screen.

Noah Johnston: Seeing how the various entities like the CMRAO and ACMO will continue to evolve and how the condo landscape will continue to change.

Michael Lewicki: New ideas and great engagement from our sister chapters and our members that will help us continue to grow and hold our place as the leading advocacy organization for condominium owners and their boards! ■





Lawyers, Guns & Money

WEBINAR

Wednesday, January 26, 2022

7:00 - 9:00 pm

Lawyers, Guns and Money, is CCI Eastern Ontario Chapter's mid-winter seminar that is a review of some of the past year's most important condominium court decisions. Watch this rapid-fire session and hear from renowned legal minds and industry leaders. There's always plenty of opportunity for questions and discussion about these court decisions and other areas of condominium law. You can't afford to miss it!

Speakers:



Jim Davidson,
Davidson Houle Allen LLP.



Richard Elia,
Elia Associates

Moderator:



Michael Lewicki,
Terra Firma RE

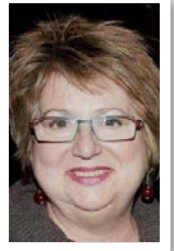
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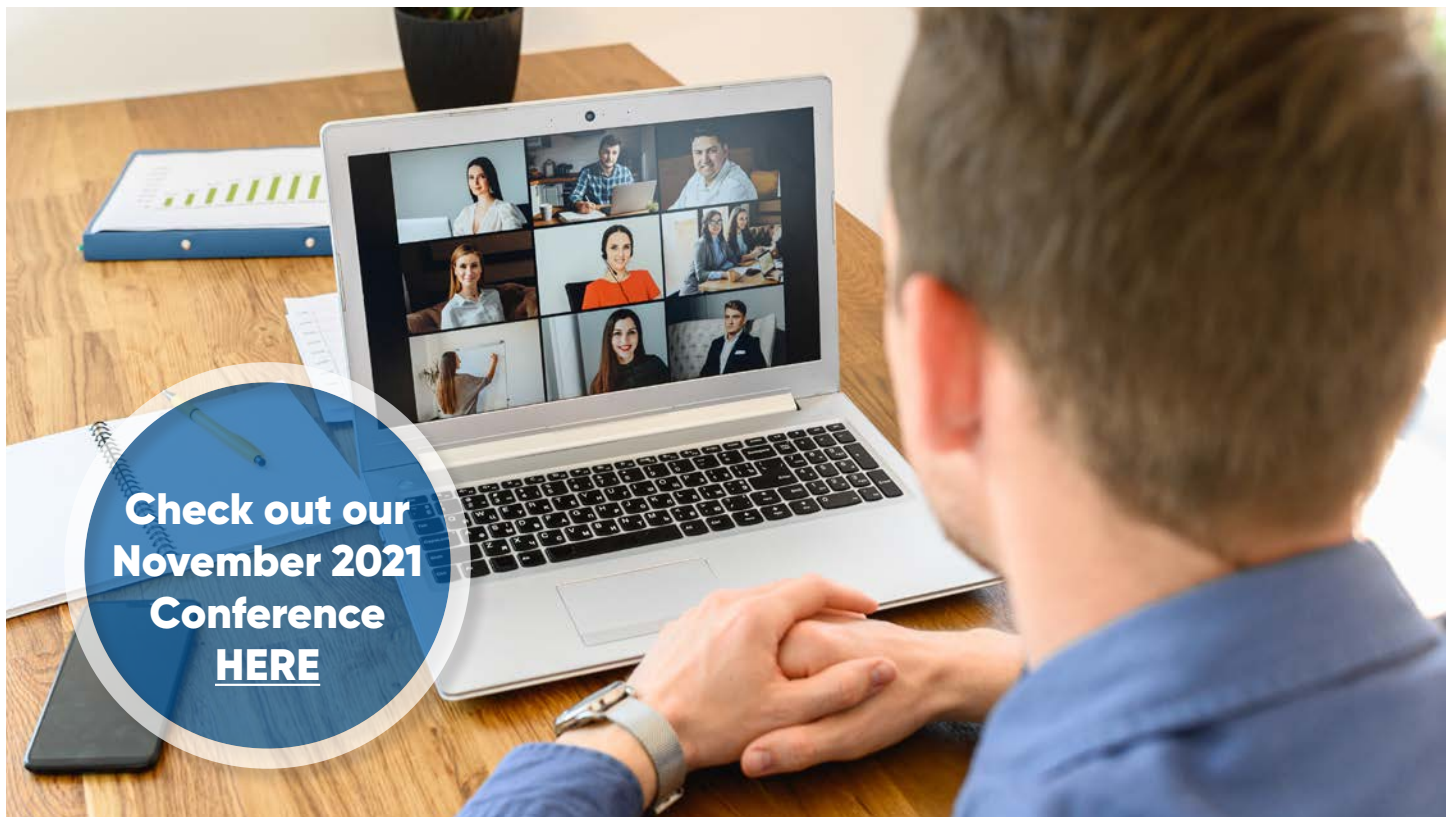
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LEADERS' FORUM: NATIONAL CONFERENCE OF THE CANADIAN CONDOMINIUM INSTITUTE



Constance Hudak



This year's Conference took place on November 12th. This Conference is a gathering of all the chapters across the country, of which CCI Eastern Ontario is one. Because of travel and meeting protocols, the conference was "virtual" once again.

The focus of these gatherings is always to share information – both successes and failures – across all chapters on all matters which work to promote education of condominium owners and directors, and to promote membership and growth.

Some of the key topics that were covered were:

- **SOCIAL MEDIA** – "Beyond Facebook": How both larger and small chapters have used Twitter, LinkedIn, and Facebook to promote events and awareness
- **SUCCESSION PLANNING** – How the Manitoba Board is planning both its structure and grooming and preparing successive chapter board members

- **EDUCATION** – Now that education is "virtual", how to ensure that the interaction between registrants the professional is most productive

A highlight of the Conference was Eastern Ontario's presentation on the newly formed Management Advisory Committee, which was created to involve the region's property managers in the promotion of education, information, and membership. This Committee is further highlighted in the article at page 18, "Management Advisory Council Member Q&A Interviews".

The Conference is supported by many providers in the condominium industry. Thirteen firms representing Insurance, Building Cleaning and Restoration, Property Management, and Engineering participated and had "virtual" booths available to registrants to visit.

The Leader's Forum continues to advance condominium knowledge and interests across the country

Constance Hudak, Vice President & Director of CCI-EO & CCI-EO National Council Representative (Ontario Caucus). ■

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Management Advisory Council Member Q&A Interviews



Stacey Malcolm
of Condominium
Management Group



Val Khomenko of
Regional Group

HOW DO YOU START YOUR DAY?

(Email first, gym, coffee, breakfast, read the paper, news?)

Stacey Malcolm: Coffee & Emails.

Val Khomenko: My day starts at 6:00 am. I exercise, enjoy a coffee and breakfast, then check emails to get ready for the day ahead.

HOW DO YOU PLAN YOUR DAY?

(i.e., By crisis, by scheduled items, etc.)

Stacey Malcolm: I try to schedule a few planned tasks for the day. Then in most cases, when urgent matters arise, they can be addressed without feeling like the whole day is derailed.

Val Khomenko: Typically, my day is planned around scheduled items to maintain order and structure for the department. Crisis or emergency items are dealt with as they arise and handled as required.

WHAT IS YOUR PREFERRED METHOD OF COMMUNICATION?

(Phone call, email, both?)

Stacey Malcolm: Both

Val Khomenko: Both

HOW MANY EMAILS DO YOU RECEIVE A DAY?

Stacey Malcolm: 51-100

Val Khomenko: 101-200

WHAT TIME DO YOU START YOUR DAY?

Stacey Malcolm: 8-9 am

Val Khomenko: 5-6 am

DO YOU WORK WITH A TEAM, AN ADMINISTRATOR, OR SOLO SITE MANAGEMENT?

Stacey Malcolm: With a team.

Val Khomenko: With a team.

WHAT DO YOU DO TO RELAX AFTER A LONG DAY?

Stacey Malcolm: Have a beverage that's a bit stronger than a glass of milk.

Val Khomenko: Spend time with family/friends.

WHAT DO YOU USE TO MANAGE YOUR DAY?

Stacey Malcolm: Traditional, with a physical day planner.

Val Khomenko: On my phone.

HOW MANY YEARS HAVE YOU BEEN IN THE CONDO BIZ?

Stacey Malcolm: 5-9 years

Val Khomenko: 5-9 years

WHAT IS THE ONE THING THAT YOU WISH THE PUBLIC KNEW ABOUT CONDOS & CONDO LIVING?

Stacey Malcolm: The degree to which condominium corporations are governed by Provincial legislation.

Val Khomenko: Condos are complex entities. Regarding condo living, most are unaware that this is communal and regulated. There are conditions, rules and regulations in place that must be followed. You do not have the same flexibility as within a freehold home. It takes a certain kind of personality to mesh and thrive within the condo living lifestyle.

WHAT IS THE ONE THING THAT YOU REALIZED YOU NEED TO KNOW AS A CONDO MANAGER THAT THE COURSES OR ON-THE-JOB TRAINING DIDN'T PREPARE YOU FOR?

Stacey Malcolm: That dynamic customer service and community management are almost more important to the role of Condominium Manager than the management of the physical property or administration.

Val Khomenko: While course and job training set you up for success, there are always situations that arise where emotions can get heated. It is crucial to maintain professional and calm mannerisms (even though at times this can be difficult) to take the necessary steps to de-escalate the situation for all parties.

A great Condo Manager will often play a negotiator and mediator role. This quality is what takes property management and customer satisfaction to the next level.

DO YOU PREFER VIRTUAL BOARD MEETINGS OR IN-PERSON? (SAME QUESTIONS FOR AN AGM)

Stacey Malcolm: Virtual for both.

Val Khomenko: Virtual, but occasional in-person is fine.

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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



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❓ **Did your corporation undertake any important projects recently?**

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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.

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