

Volume 32

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Volume 32

CONDOCONTACT

CANADIAN CONDOMINIUM INSTITUTE
CCI Eastern Ontario (CCIEO)



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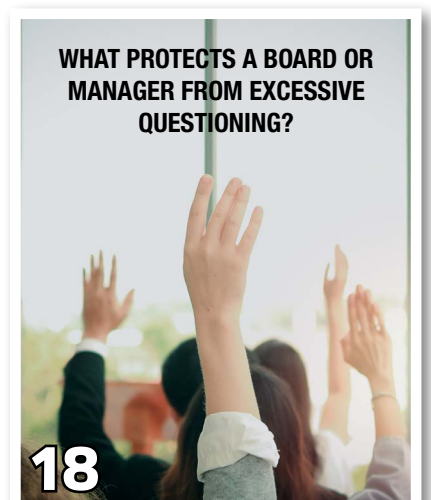
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Nancy Houle, LLB
President, CCI Eastern Ontario
Lawyer/Advocate
Davidson Houle Allen LLP

With Spring AGM's behind us and the heat of summer just setting in, it may seem odd to start talking about the Fall already. However, as our condo industry knows, in the world of condominiums, we must constantly adapt to today and plan for tomorrow!

While I am not wishing away the summer – in fact I hope to savour every ray of sunshine I can... I am putting a fall bug in everyone's ear as we have a lot of exciting things planned for the last few months of 2022. These include our Annual General Meeting (virtual), and several fantastic webinars, but most exciting is the return of our in-person Conference, Trade Show & Director's Course (with some virtual options for the Director's Course). We are very much looking forward to seeing everyone, whether live or online!

Your Board of Directors has missed its connection with its members, and we are all excited for the opportunity to have more in-person events. As you'll

read later in this newsletter, we recently hosted our first in-person event in just over 2 years and it was a great success!

Notwithstanding our enthusiasm for in-person activities, we certainly do recognize that some of our members continue to feel safest in a virtual setting. Accordingly, the CCI-EO Board is committed to striking a reasonable balance between in-person and virtual events so we can continue to offer great education and networking for our members.

We also continue to try and expand our volunteer base. If you've ever thought about volunteering at one of our events yet weren't sure how, send any of your Board members, or our administrator, a quick email and they'd be happy to connect you with the next steps.



On a final note, I want to highlight this particular issue, as it raises matters which are of key importance in the condominium industry at this time. This issue focuses on the role of condominium managers in the industry, providing perspective on the multitude of roles a manager must play each and every day, the unique challenges of managing both a work and home environment, the increased demands on manager's time (resulting both from the pandemic and regulatory changes) and the growing importance of working together as a community in order to improve all aspects of condominium ownership and living, and avoid "manager burnout" (which we see happening at all levels of management)."

I urge you to read these articles through the lens of your manager, and consider how we can support them as partners and professionals in your daily condo life, and recognizing that this profession requires education, training and licensing, all geared toward trying to problem solve everything and anything that can happen in the condo microcosm of society!

We hope you enjoy this issue and we look forward to your feedback that we can share with the managers throughout eastern Ontario.

Sincerely,
Nancy Houle, President, Canadian Condominium Institute Eastern Ontario

CCI Eastern Ontario Chapter

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SUMMER HAS ARRIVED

We hope that everyone is doing well and wish everyone the best for the summer season.

This edition of *Condo Contact* looks at Management in condominiums. With the changes to the *Condominium Act* and the introduction of the *Condominium Management Services Act*, there have been significant changes over the past few years. This edition focuses on the role managers can and do play in the condominium industry and ways to work with managers to ensure that your condo community thrives.

OUR ARTICLES INCLUDE:

- Legal: **Jim Davidson's** article looks at the issue of excessive questioning/request for information by an owner or group of owners and the impact on management and the condo's board.
- **Anne Burgoon** looks at ways to strengthen the relationship between condominiums and managers.

- A look at the Role of the Condominium Manager by **iCondo Property Management and PMA Realty Consulting Team**
- A Manager's perspective on burnout in the management industry from **Val Khomenko**.
- **Gerry Boudreau** looks at life as a condominium manager.

IN THIS ISSUE, WE ALSO HAVE THE FOLLOWING FEATURES:

- CCI National Update – CCI-EO's first LCCI members and information on CCI-National committees;
- A recap of our first in person event in over 2 years!
- A summary of all of the Education Events CCI-EO presented over the course of the 2021-22 year
- CCI National – Committees at work

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.

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LIFE AS A CONDOMINIUM MANAGER

and the challenges they face



Gerry Bourdeau,
Condominium
Management
Group

Imagine a company with revenue of a million dollars a year. Let's say its expenses are in the thousands, and sometimes hundreds-of-thousands, or millions per year.

There are hundreds of owners of the company. Their share of the company usually represents the most valuable and critical asset they will ever own. Let's also imagine the company's market value is many millions of dollars. In a private, for-profit setting, would you imagine that the same person would inspect every invoice, approve every cheque, respond to every shareholder inquiry, plan the corporate communications strategy, host and chair meetings, act as an informal mediator, head up the budgeting process, engage in vendor procurement and the tender process for work, be responsible for providing directors with legal resources (not opinions), advising on technical/physical issues, perform HR functions, navigate insurable losses,

draft policies and review/alter contracts, and generally apply rules of governance?

Let's imagine one person doing all of those things for the hypothetical company above. Now, imagine that person frequently has to work evenings and weekends and is often (or always) on call for emergencies. Meanwhile, they're also expected to regularly attend webinars and informational sessions to stay on top of the industry and, somewhere, they need to remember to get some sleep and see their family, too. Perhaps most stressful of all: while everyone makes mistakes, the ones made by this fictitious person are often highly visible and public.

I'm sure, by now, you know I am describing the life of a condominium manager. I haven't written an exact analogy, but it's very close. In fact, in some ways, I've downplayed what

a condominium manager deals with – especially in the context of a portfolio manager where the assets being managed are actually worth hundreds of millions and the above duties are split between 6 or more corporations.

“ The point of this article isn't to complain! Not at all. I am very proud of the services that condominium managers provide. In my experience, most managers feel the same way. Further, I appreciate all of my clients (both directors and ownership)! ”

The purpose of this article is to raise public awareness as to what a condominium manager's job is like. Of course, condominium managers are not the only ones with a demanding job. Further, there are functions of condominium corporations that are not handled (most

often) by the manager. We rely on dedicated professionals such as property accountants and administrators, too. But the list of duties compiled in paragraph one falls squarely on the manager.

There are two key reasons that I wrote this article. Firstly, I want to tell anyone looking for a challenge and who wants to develop extremely transferrable and valuable skills: you should consider a career in condominium management. The opportunities in this professional community are amazing. Secondly, I want to help establish condominium managers as true, licensed, professionals in the same breath as accountants or lawyers. Like other professions, this job takes intelligence, conscientiousness, discipline, patience, and understanding, and everyone should know it.

Perhaps you're thinking: why not split up all of those jobs? Why not engage in more specialization? Well, that might have to happen eventually, but it comes at a cost. Here's the last thing I want to tell you about condominium managers historically and now: we provide fantastic value to our clients. We know

that condo owners are not endless sources of revenue. Management fees charged by condominium management firms are typically far more competitive than those charged by for-profit business consulting firms that offer similar services.

Hopefully, this helps put context around what it's like to be a condominium manager. Also, the next time you're talking to one of us, remember it's very possible we worked until 9PM the night before, just dealt with an emergency call overnight, have a presentation to make in an hour, and have an ever-expanding inbox – and we still want to help with your concern.

Gerry Bourdeau is an Ontario Licensed Condominium Manager, General Licensee as well as a Registered Condominium Manager with ACO. Gerry has been working in the condo industry for over ten years, is a Project Management Professional with the Project Management Institute, has training as a mediator, and is completing his MBA at the University of Fredericton. ■

SAVE THE DATE!

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The Canadian Condominium Institute (CCI) Eastern Ontario represents all areas of the Condominium industry including Condominium Corporations, Owners, Professionals and Business Partners and thousands of condominium units across the Eastern Ontario region.

By renewing your CCI-EO membership benefits for 2022-2023, you will receive:

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As a Business Partner or Professional member, you can also take advantage of great opportunities, like:

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- Exhibiting at our educational events and networking with Directors
- Becoming a valuable industry resource by writing articles for our newsletter, and/or becoming a speaker at our education sessions

If you have not received your membership renewal notice via email, please contact
info@cci-easternontario.ca.

Thank you for your continued support.

Visit www.cci-easternontario.ca for the latest up-to-date information on condominium issues.

GETTING FAMILIAR WITH YOUR CONDO MANAGER'S ROLES & RESPONSIBILITIES



iCondo Property
Management and PMA
Realty Consulting Team

Condo living can be quite different than owning a single-family home or renting an apartment. Some of the key differences are that you are now part of a condominium community with a shared interest, and you will often have a Condo Manager overseeing certain aspects of your home.

Why would you need a Condo Manager to oversee certain aspects of your home, you may

ask? To help understand this better, let's dive into what a condo manager does and some of their key roles and responsibilities in the management of your condo community.

Whether you are new or seasoned to condo living, below is a list of questions that may help to better understand your Condo Manager's roles and responsibilities, as well as key differences from owning or renting a home.

What does a Condo Manager do?

A Condo Manager is responsible for the day-to-day management of the property and acts in the best interests of the condo corporation. The roles and responsibilities of the condo manager will vary depending on the type of condominium corporation; however, your manager is typically responsible for items such as:

- Ensuring the condo fees are collected.
- Preparing a draft annual budget for your corporation which would be approved by your Board of Directors and distributed to owners.
- Approving invoices incurred by the corporation and ensuring payment is issued.
- Reviewing the financial position of the corporation.
- Organizing repairs and maintenance of the common elements.
- Arranging contractors such as, landscaping, snow removal, cleaning, mechanical maintenance, etc.
- Issuing notices to the ownership, as required.
- Providing the Board of Directors with advice and information to allow them to make informed decisions for the corporation.

Key Differences: Unlike a residential property manager in a rental apartment building, the Condo Manager is generally not responsible for arranging repairs and maintenance inside the units. As an example, if a breaker in your electrical panel has failed or a fuse needs to be changed, this is generally not part of the common areas of the property and would therefore be the responsibility of the Owner of the unit to complete the required repairs.

How Does Your Condo Manager Makes Certain Decisions?

Your Condo Manager is licensed by the Condominium Authority of Ontario. With strict licensing and regulatory requirements in place, your Condo Manager is both highly trained and knowledgeable to work within the Act and supporting regulations of the *Condominium Act, 1998* and the Corporation's governing documents. In addition, your manager works alongside your Board of Directors, who make the informed decisions regarding your corporation.

Key Differences: An owner of a single-family home makes decisions for their property. A condominium corporation has an elected Board of Directors to make decisions on behalf of the corporation's owners. The Condo Manager is responsible to take direction from the Board of Directors.

How does my Condo Manager determine what is and isn't allowed?

Every Corporation has their own set of governing documents which includes the Declaration, By-laws, Rules & Regulations, and any policies that may be in place for your corporation. Getting fa-

miliar with your governing documents will help you understand important aspects of your condo community, such as, what rules are in place for your corporation; the boundaries of your unit; and who is responsible for certain repairs and maintenance items within your unit, etc. Your Condo Manager has a duty to ensure that these governing documents are being followed by all owners and residents. Your Condo Manager reviews any concerns or requests with your Board of Directors. If you have questions regarding something within the governing documents, you can always reach out to your manager or Board of Directors for additional clarification.

Key Differences: Unlike a rental building or a single-family home, a condominium corporation has additional rules and regulations that must be followed. It is highly recommended to residents in a condominium community to obtain copies and read through these documents. Whether purchasing or renting a unit in the corporation, a resident and/or guest is responsible to follow these rules and regulations.

Getting familiar with your Condo Manager's roles and responsibilities means you can sit back and enjoy your condo, knowing your home and your investment are in great hands! ■

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.



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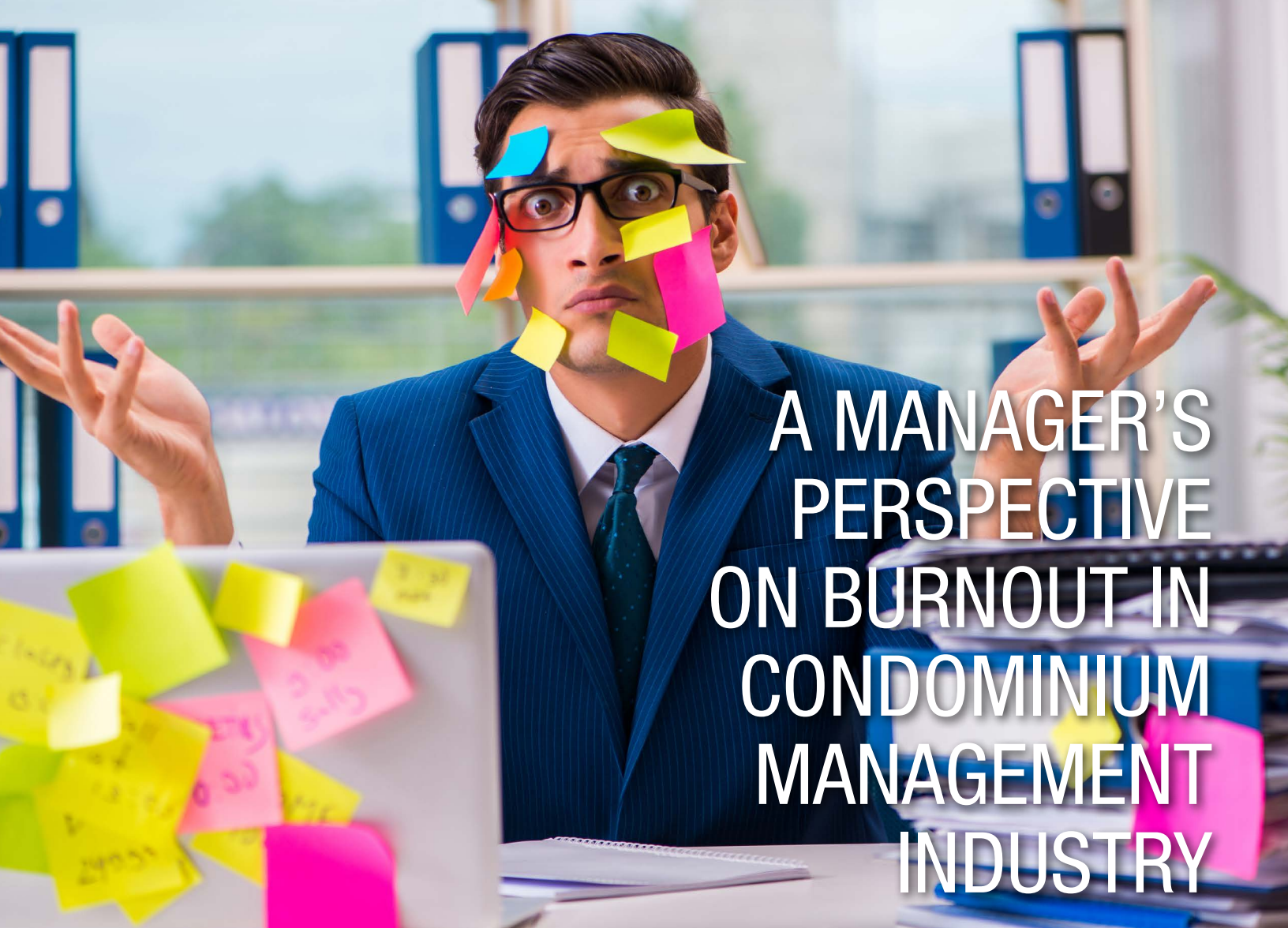


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A MANAGER'S PERSPECTIVE ON BURNOUT IN CONDOMINIUM MANAGEMENT INDUSTRY



Val Khomenko,
ICON Property
Management

For many years, we as managers prided ourselves on our ability to tackle complex tasks, take on challenging schedules, assuage difficult personalities, and juggle multiple properties, all while remaining on budget, on time, and with a smile on our faces. In fact, it is this “can-do” multi-tasking machine attitude that has turned and bitten us in our proverbial backsides.

Our professionalism became a badge of pride, offered excitement and gave us a sense of fulfillment. However, our bill has come due, chickens have come home to roost, and the fallout isn't pretty...

Here is why

On the face of it, the job of condo manager is a high stress position. It carries a relatively lower pay scale, and the high responsibility of managing multi-million-dollar assets. The demands of late-night board meetings and juggling the ever-present interpersonal conflicts keeps every manager on their toes.

Add to that professional licensing requirements, in 2017, when the Condominium Management Regulatory Authority of Ontario, under *Condominium Management Services*

Act, 2015, became the regulator of condo managers. The CMRAO's licensing fee structure contributed to an already stringent budget for management services providers and managers alike.

Kudos to those firms who have covered the licenses of their employees.

Then came COVID

Managers were hailed heroes and essential front line service providers. We became champions of safety and protectors of our communities, taking on the complex and often confusing job of disseminating governmental regulations for our stakeholders. Another badge of honour for the profession – protecting the community, during the gravest event of our lifetime.

However, this role of saviour took a major toll on the rank and file. The high from the recognition began to wane as pandemic fatigue kicked in. Residents and owners became irritable, supply chain woes increased and clients became more demanding.

The expectations of the “Super Hero” multi-tasking manager continued to increase while the offset did not. Workloads increased but the compensation did not. Working hours increased, while productivity began to wane. The “can-do” challenge was accepted, yet solutions became scarce. In short, a recipe for disaster was created.

Fast forward two years

Mask mandates have been dropped and restrictions are nearly non-existent. What remains are the emergency-level heightened expectations from clients. The result – burnt-out managers, who contemplated or switched careers, leaving for less demanding work.

Today, the market is facing a crisis.

Many transitional licensees are also exiting the market with the looming deadline of the license renewal. Managers changed companies because the upper echelon did not hear their cries for help and assistance.

Lack of industry support

While there were a few articles highlighting the issue of burnout, the task of “dealing with it” was placed squarely on the back of the managers themselves. As if there was not already an enormous time management problem, these overburdened employees were instructed to take up yoga or run, or take small breaks.

Talking about mental health and sanity are taboo

No one is addressing the huge elephant in the room – chronic stress. Burnt out managers feel guilty for voicing problems because performance is key. Admitting difficulty is a sign of weakness. There is no forum where managers can discuss coping strategies or speak about experiences. Only the channels of last resort (social media or a scant number of publications) are available.

“Take it easy or relax” still does not deal with the realities of overburdening clients, sometimes unsupportive upper management, and an industry that is plagued with individual job-performance insecurity.

A culture where the thought of taking a vacation instills a sense of panic, rather than euphoria, is broken. Instead of washing away the stress with oceanic breeze and golden sand, thoughts linger on what will be waiting in the inbox upon return.



Again, high expectations and low compensation, result in a lack of resources to provide relief.

30- or 60-day notice contracts

One of the largest challenges of all, that I have yet to see anyone address, is the industry business model of a 30- or 60-days’ notice contract. In smaller markets, this has a devastating effect. With management playing such an integral role in the condominium communities, the protections of said roles are non-existent.

When contracts can be terminated with a shorter notice period, there is a higher risk to taking on a new condominium, as the potential loss of revenue and/or job creates a greater level of anxiety. This means it might make more sense to keep an existing, perhaps less lucrative, contract and trying to service it.

“Shaking things up” is not always the smart motivator

Yes, there are instances where a relationship has gone stale, and changes are necessary. Inviting new blood can bring in new points of view and different methodology.

However, treat this as a cautionary tale. Changing management companies simply for the sake of change or for a perceived demographic match of manager to building occupancy can result in a badly fractured relationship between the board and the management company. There is a high value in the trust established between manager and the board and/or owners. Soft knowledge of the property, the relationships with the trades, board, and owners is often irreplaceable.

Instances of 30-year contracts being lost due to a new board wanting to shake things up, or a management company wanting to make change, are unfortunately, not uncommon. This can result in fractured relationships where communities never fully recover.

Where do we go from here?

When the managers start thinking “what’s the point?” is the most opportune moment to reflect on where we are and examine how we move forward. There are no easy solutions. We must start the serious conversations required before the loss of talent will become a major detriment to an industry, that already is experiencing enormous labour shortages.

There are no easy solutions. We must start the serious conversations required before the loss of talent will become a major detriment to an industry that already is experiencing enormous labour shortages.

In order to restart the motivation engine, managers need to:

- First watch for and take notice of signs of apathy, resentment, or lack of energy.
- Tackle one challenge at time.
- Break tasks down into manageable chunks and prioritize celebrating those wins, as there have been plenty.
- Use your “Super Hero” talents to listen closely
- We also need to educate boards and employers about the positive effects on productivity when employees feel valued.
- Recognize calls for help and signs of burnout – in ourselves and in our colleagues.

If all else fails, remember, if your organization or client is just not supporting you, there are firms and clients who will.

Condo Boards, communities and Management providers need to listen and work with Managers to ensure their needs are being met as they work to meet the needs of the communities they serve. This will help to ensure a happy, fulfilled, and reinvigorated management team. ■

LEADERS

OF THE CANADIAN CONDOMINIUM INSTITUTE (LCCI)

To learn more about the LCCI designation, including the application process, please visit the website [here](#)



The Leaders of the Canadian Condominium Institute (LCCI) designation is a new initiative from CCI created to recognize its members from any profession or trade who have and continue to contribute knowledge and expertise to the condominium industry.

The LCCI designation is open to any CCI member who provides goods and/or services, through annual employment time and volunteer time, to or within the condominium/strata/co-propriété industry. The designation is open to any profession or trade.

WE ARE PLEASED TO RECOGNIZE THE FOLLOWING RECIPIENTS OF THE LCCI DESIGNATION FROM THE CCI-EASTERN ONTARIO CHAPTER:



Andrée Ball, Keller Engineering

Andrée is the Director of Client Relations for Keller Engineering where the focus is to assist condominium corporations in Ontario and Alberta protect and maintain their assets. Andrée previously worked for 13 years for one of Ottawa's largest property management firms, 8 years as a Property Manager and 5 years as General Manager. Her firm is also a member of the South Alberta, North Alberta, and Toronto & Area Chapters.

Andrée is the current Vice-President of CCI-National. She is a current board member of the CCI-Eastern Ontario chapter and co-chair of the education committee. In past years, Andrée has served as the membership chair and secretary of the CCI-EO Chapter, she was instrumental in establishing and growing programs and events at the chapter level. For seven years Andrée led the organizing committee for the Ottawa Condominium Conference and Tradeshow held annually in both Ottawa and Kingston.



Anne Burgoon, Eastern Ontario Property Management Group

Anne joined EOPMG on a full-time basis in 2010, after a lengthy career in the medical field. Anne's strengths lie in the development and adherence

to processes and procedures. She also attends to the important details of the development of corporate policies, maintenance schedules, adherence to the Condominium Act, and communication. Anne oversees the hiring, training, and supervision of staff and is a recipient of the Registered Condominium Management (RCM) designation.

Anne is a strong CCI supporter and volunteer. She is a frequent speaker at CCI-EO sessions and active member of the CCI-EO Board of Directors and Management Advisory Council.



Michael Lewicki, Solid Rock Realty

Mike has been involved with condominiums since he became registered to trade real estate in 2011 and has been a proud member of CCI-EO since 2012. After achieving his Broker designation he's continued to advocate for training and education

within the real estate community by providing training seminars tailored to real estate agents to better serve and educate their clients & promoting organizations that offer opportunities for real estate agents to improve their knowledge.

Michael is currently a member of the CCI-EO Board of Directors, Chair of the Communications Committee as well as the Co-Editor of the chapter's quarterly newsletter and is an active contributor to the chapter's many activities, including seminars, annual conferences, and social media.



Justin Tudor, Keller Engineering

Justin is the President and Senior Project Manager at Keller Engineering, a multi-discipline building science and envelope firm that has been providing tailored engineering investigatory and project management services with a focus on condominium restoration since 1982. He has more than 15

years of experience in the field of building science and structural engineering.

Justin has overseen and completed hundreds of reserve fund studies, building conditions assessments, and technical audits, while leading building element investigation including odour transfers, cladding failures, water infiltration, concrete, masonry deterioration and membrane replacements.

Justin has been an active volunteer serving CCI for over 10 years, participating as a volunteer on many committees, including the CCI-Eastern Ontario Education Committee, CCI-National Marketing Committee and CCI-EO Board of Directors and has been a regular educational speaker for CCI across Canada.



STRENGTHENING THE CONDOMINIUM CORPORATION / MANAGEMENT RELATIONSHIP



Anne Burgoon BSc,
RCM, OLCM, LCCI,
Vice President,
Eastern Ontario Property
Management Group

The relationship between a condominium manager, the owners, the directors, the contractors, the corporation staff, lawyers, auditor and engineers... can be very complex at times.

On the one hand the manager is part of your team and working towards the same goal: doing the greatest good for the greatest number while managing the affairs of the corporation. Yet the manager also has to be an advisor (offering support and stating when we disagree and why), a supervisor, and a bit of a police officer when the governing documents have to be enforced. They have to receive complaints, some of which are delivered quite nicely while others are down right nasty...and then respond in a professional manner. They have to nurture relationships with contractors in order to obtain the best service possible but be prepared to let them know when they are not meeting expectations.

Managers have to address requests for repairs and complete reserve fund projects all while monitoring the bottom line and adhering to what are often very tight budgets.

Although they try to work regular hours, with evening meetings and after hours' emergencies, a manager's hours are anything but regular.

In an industry where managers are in high demand but the supply is low, most managers are stretched to their limit as they try to help the communities that they are paid to manage. The majority of the time, a manager provides more hours to a corporation than the contract contemplates each month.

Given all of the above, it is no wonder that in the Condominium industry, manager burn out is a serious concern. But what can be done to mitigate this?

To answer this question, several managers, with varying years of experience, were polled about what they think needs to change in the industry and what they want to keep.

The following are the responses received with each respondent echoing the comments of the others...in other words we had consensus on these responses.

Items that Managers feel owners and directors need better awareness:

Board meetings

Trying to stick to the agenda (as best as possible) would be appreciated (only items on the agenda should be discussed). Meetings should never go more than 2 hours. The Chair needs to be aware of the timing of discussions (spending 20 minutes of a 2 hour meeting discussing the type of flowers to plant in the front garden, is likely not a good use of everyone's time). Finally, directors should come to meetings prepared. Review the minutes and be familiar with decisions that need to be made beforehand.

Micro managing

Avoid micro managing – let the manager do her/his job. If you find yourself micromanaging ask yourself why? Is it because the manager is simply not addressing the items requested? If so, have a conversation about this and present the data. Is it because that is your personality and you feel you have to control things? If so, this may need to be what has to change. You may be impeding the manager and likely undermining them.

Absentee landlord

When owners do not inform tenants sufficiently about the governing documents, this ends up falling to the manager to cite violations for which tenants are often unaware. It would be appreciated if investor owners made sure their tenants had copies of the rules, bylaws and declaration (this is actually a requirement under the *Condominium Act, 1998*).

Communication

When an owner calls and says: This is Lindsay, can you let me know when my window will be replaced or when an owner emails without a unit or corporation noted and ask about window cleaning? Including your full name, address and unit number with all correspondence would help immensely.

Owner requests should be reasonable and it would be helpful if owners tried to appreciate that the manager is attending to matters while keeping in line with an established budget. It is possible that the manager has to advise that your particular request may not be an item that can be repaired this fiscal year.

Repairs

It is helpful if an owner understands that a simple situation like, "there is a leak in my laundry room and not sure where the water is coming from but my floor is damaged," triggers a whole sequence of steps that the manager must take: find the source, determine the cause, arrange for repair of source, determine responsibility for repair, check the standard unit by law and insurance deductible by law as well as Schedule C to determine unit boundaries, then explain to owner why they might be responsible for the repair based on the governing documents. Once again, having patience as these situations are sorted would be much appreciated.

What managers appreciate from owners and directors:

Managers appreciate when directors and owners understand that a manager has a life outside of work and is not expected or required to respond to emails on a weekend or at night. These owner emails begin with: "please do not respond to this until Monday".

Managers appreciate directors that are reasonable and understand that to get 3 quotes for a \$300 repair is simply not realistic.

A simple "thank you" or "I appreciate all that you do" from an owner or director often goes a long way.

Managers appreciate when owners note that they understand the challenges they face with contractors, supply chain issues and delays due to illness.

Managers appreciate when owners volunteer to help out by being on a committee or completing some research for the corporation because they know this is their investment as well.

Managers appreciate efforts owners make to promote their community.

Managers appreciate when a director recognizes that what they are asking of the manager is "scope creeping" and not part of their contract and offer to discuss how best to proceed.

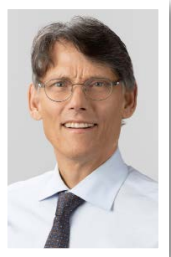
Managers appreciate when a director realizes the hours the manager is putting in are beyond the number of hours that the contract ever contemplated and proactively asks how to improve things by either reducing demands or paying for the additional services.



No manager is perfect and no board of directors is perfect. With good communication, reciprocal support and a good awareness of each others needs, this most important of all relationships in the condominium industry can work very well. Without these variables in place, the relationship is doomed to flounder and eventually fail. For managers and directors alike, if your relationship is floundering, but you want it to succeed, determine the variables that need addressing...and become aware of the unmet needs, become supportive and start communicating."

Anne Burgoon is co-owner and vice-president of Eastern Ontario Property Management Group (EOPMG). Anne has a Bachelor of Science degree and holds her OLCM, RCM and more recently was awarded the LCCI. She is a condominium owner, has served as a condominium director and is a member of Eastern Ontario's Manager Advisory Council and director for CCI Eastern Ontario. She worked with the CMRAO as a Subject Matter Expert in developing competencies for Property Managers in Ontario, course content for provincial courses as well and assisted in the development of the provincial exams. ■

WHAT PROTECTS A BOARD OR MANAGER FROM EXCESSIVE QUESTIONING?



James Davidson, Lawyer
Davidson Houle Allen LLP

We hear it again and again from condominium Managers and Board members:

“Eighty percent of my work comes from just a few of the owners.”

In general, this work comes in the form of questions or demands for extra information.

Most of the time, the questions received from owners are reasonable and can be easily answered. But in many condominiums, there is a small group of owners (perhaps only one or two) who insist on receiving all sorts of extra detail. In many cases, these owners essentially want all detail that is available to the Board (and sometimes even more detail) without actually being on the Board.

As confirmed by the Condominium Authority Tribunal (CAT) in the recent case of **Sava v. York Condominium Cor-**

poration No. 386, condominium corporations are not required to “explain” the corporation’s records. As long as the corporation’s records are clear, owners have no right to “extra” information (beyond what is contained in the records).

In the same case, the CAT confirmed that condominium corporations are not required to create records (requested by an owner) **that don’t already exist** (unless of course the record is required by the *Condominium Act* or by the condominium’s governing documents).

So in summary, owners are generally only legally entitled to the information contained in the corporation’s records.

Here's the problem:

Suppose an owner requests extra detail, and you cordially respond as follows:

"I'm sorry, your request goes beyond the obligations of the condominium corporation."

Some owners may understand, and may accept this response. Some may not.



If the owner does not accept your response – if the owner “won’t take no for an answer” – the owner will quickly identify some other options:

1. The owner may decide to make numerous requests for records, including requests for records not previously mentioned by the owner.

According to the Regulations under the *Condominium Act*, owners are only permitted to make requests that are “solely related to that person’s interests as an owner”...“having regard to the purposes of the Act”. But the Regulations also say that the owner is “not required to provide a statement of the purpose of the request”. Therefore, if the owner has an improper purpose (for instance, a desire only to create extra work for the Manager or the Board), this is extremely difficult to prove.

2. The owner may make application to the CAT for clarifications based upon an argument that the corporation’s records are not sufficiently clear.

In the **Sava** case, the CAT confirmed that the corporation may be ordered to pay costs (to the owner) in circumstances where the corporation’s records are not sufficiently clear.

The bottom line is as follows: Owners who want extra information can take steps to place huge additional burden upon the condominium corporation (namely upon the Manager and/or

the Board Members). They can do this by making numerous requests for records or by challenging the adequacy or clarity of the available records. Note as well that owners can make records requests at very little cost. Core records (if requested electronically) must be provided at no cost. And the CAT has also set quite low costs applicable to non-core records.

It’s a system that is full of opportunity for difficult owners. And the practical result is that – in most cases – the corporation’s best option is

simply to provide all of the records, and also to provide the extra detail, requested by the owner.

Condominium owners already receive a huge amount of information: Meeting notices, Periodic Information Certificates (and updates), Annual financial statements, Annual Operating Budgets, Reserve Fund Notices of Future Funding, to name just a few examples. Owners also have the right to attend the AGM, where they can ask questions of the auditor and also raise any matter relevant to the affairs of the corporation.

If an owner has a desire or a need for additional information beyond all of the basic information (and opportunity for information) available to all owners, it seems to me that the owner should be covering the cost. This sort of amendment to the Act and Regulations would go a long way towards protecting Managers and Boards.

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. ■



THANK YOU TO ALL OF OUR VOLUNTEERS!

Vince Bennett
Bendale Property Management

Anne Burgoon
Eastern Ontario Property
Management Group

Michelle Compton
iCondo Property Management
& PMA Realty Consulting

Josée Deslongchamps
Condominium Management Group

David Duncan
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Carol Parks
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Michael Trendota
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Cheryll Wood
Davidson Houle Allen LLP

Are you interested in volunteering
for the CCI EO Chapter?
Please contact info@cci-easternontario.ca



CCI NATIONAL – COMMITTEES AT WORK!



Constance Hudak

CCI HAS CHAPTERS THROUGHOUT CANADA BUT HOW DO THESE PROVINCIALLY BASED GROUPS LINK TOGETHER – WHAT IS THE “GLUE” THAT FACILITATES ACTION AND PROGRESS IN THE CANADIAN CONDOMINIUM WORLD? A KEY TYPE OF “GLUE” IS THE COMMITTEE STRUCTURE ESTABLISHED UNDER THE CCI NATIONAL UMBRELLA.

THERE ARE SEVEN WORKING COMMITTEES MADE UP OF MEMBERS FROM THE VARIOUS PROVINCIAL CHAPTERS AND HERE IS A BRIEF OVERVIEW OF WHAT THESE COMMITTEES DO AND WHERE CCI EASTERN ONTARIO BOARD MEMBERS PARTICIPATE.

Governance

This committee oversees and monitors the formal governance structure of CCI and ensures that National and Chapter bylaws are compliant with current legislation (all provinces). To deliver this mandate, the committee:

- interprets, amends if necessary and implements National Bylaws and assists with chapter by laws
- manages and keeps current the CCI code of ethics and guidelines
- monitors legislation that might affect chapters e.g., anti spam and privacy
- monitors and oversees elections at the national and chapter level

The Chair of this Committee is Nancy Houle, CCI-EO President.

Certification

This committee promotes professionalism by developing accreditation programs (educational and other) to recognize contributions and excellence within CCI. Specifically, it:

- developed the recently launched “LCCI” – Leader of CCI designation
- inventories and catalogues the numerous educational courses and seminars offered by all chapters and then shares these with local chapters which have yet to develop a full flight of courses.

Four members of CCI-EO have received their LCCI in recognition of their efforts and professional excellence within the condominium industry – Anne Burgoon, Michael Lewicki, Andree Ball and Justin Tudor.

National Events Committee

This committee plans and organizes the national conferences – in-person events in the spring and fall (and virtually during the pandemic). Specifically, it:

- selects the chapter host and location from across Canada
- coordinates local events, sponsors, trade exhibits, the overall program, and speakers

Andree Ball from our Board is also the Vice President of CCI National and the Executive Liaison for this committee. This fall's Conference will be hosted by CCI-EO in Kingston – barring a pandemic resurgence, this will be the first “live” Forum in 3 years.

Marketing

The focus here is on the branding and recognition of CCI to the public at large, condominium and strata owners, and professionals and business partners. To achieve the foregoing, the committee:

- develops and maintains social networking tools and the National website where current and relevant information is posted
- brands CCI as the primary national resource for condominium and strata information to all levels of government
- conducts strategic reviews to evaluate our marketing success and adjust as necessary
- develops marketing packages for individual chapter use in developing their own media strategies and develops CCI brand banners, letterhead, logos etc. for chapter use

Operations and Support

This committee supports all chapters by:

- maintaining a national database which tracks membership (condominiums, individuals and industry professionals), which results in streamlining operations, facilitates communication and eliminates redundancy. Each chapter has access to this.
- developing and maintaining Chapter standards and policies
- conducting annual chapter reviews, facilitating cross chapter communication and selects the annual award winners

CCI-EO has won the H. Penman Smith award in 2016-17 and 2019-20 for the Newsletter of the year. We also won the Lorne Young award for Chapter of the year in 2014-15.

Risk Management and Finance

This committee is responsible for National's and chapter financial planning and management. Specifically, it:

- develops policies and processes for the review of chapter financials
- supports chapters in need of assistance
- monitors risk management and sources insurance coverage for National and local chapters

Resource Content

This committee is responsible for one of CCI's great successes – the development and maintenance of the [National Resource Centre](#). This is the most comprehensive set of materials available in the industry national wide with the assistance of all Chapters. The work of the committee covers:

- maintenance of the CCI National Website
- creation and maintenance of a Public Portal enabling access to all materials

The condominium community in Canada is vast and continues to grow and CCI National and its work to support condominiums is therefore that much more important. I am glad to have the opportunity to share with you all the work that goes on in the background to support our membership both locally and nationally.

National Executive Director

We are also pleased to announce the hiring of our first internal National Executive Director, [Laura Pacheco](#). Laura has a wealth of experience that will assist CCI to undertake its current business plan of growth and development.

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

PATIO PARTY 2022

WE DID IT!

We held our first in-person social event since March of 2020, and it was great!

WE'RE BACK!

CCI-EO's Patio Party was held on June 17 at Lago's Bar & Grill (www.lagobargrill.com) as a thank you event for our volunteers and a reunion for the condominium community of Eastern Ontario.

This event also provided us with the perfect opportunity to thank the members of our Management Advisory Council (MAC) for their hard work and dedication, both within the council and their respective management firms and condo boards they all serve.

The Board of Directors enjoyed connecting with attending members who serve on their respective boards or who have a passion for

condominium living. It was fantastic to catch up on the goings on in their buildings, and condo communities, and to thank them for staying the course over the past couple of years.

We'd also like to thank all our sponsors for the evening -without them we wouldn't have been able to host such a memorable event.

They say that pictures tell a thousand words, and these photos represent what we all love about CCIEO, our passion for condos and connecting over great conversation!

We look forward to seeing you all again soon as we return to in-person events this fall!



Winners of the Redblacks Tickets



CCI-EO Board



Management Advisory Council



DHA Crew



Godfrey Roofing



Kim, Shelley & Constance



Tiffany & Chris



Nancy & Dree



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We are excited to share that our Educational Lineup for Fall 2022 – and a return to in-person events – WILL BE ANNOUNCED SOON!

STAY TUNED FOR MORE DETAILS!

EDUCATION RECAP

AUGUST 2021 – JUNE 2022

AUGUST 12, 2021: Crunching Condo Finances

Presented By: Stephanie Courneyea, CPA, CGA, McCay Duff LLP; Vincenza Galatone, B. Eng., MA Sc., PhD, MPA; Kim Renwick, Condo Management Group; Eileen Boles, RCM, Condominium Management Group

AUGUST 25, 2021: The Relationship Between the Board, Managers, and Owners

Presented By: Val Khomenko, Regional Group; Pat O'Brien, OCSCC #693, Parkdale Market Lofts; Asaf Karpel, Hudson Park; Nadia Freeman, Capital Integral Property Management

OCTOBER 27, 2021: Virtual Education Extravaganza

• Breakfast with the CAT: Tips and Tricks from Industry Experts on CAT Processes and the Newly Expanded Jurisdiction

Presented By: Nancy Houle, BA (Hons), LL.B, Davidson Houle Allen LLP; Graeme McPherson, Gowling WLG; Sean Cornish, Apollo Property Management; Yawar Khan, Capital Integral Property Management

• Insurance Bites: Tools and Tips to Try to Mitigate Increasing Insurance Costs and Risks

Presented By: Constance Hudak; Christy Allen, Davidson Houle Allen LLP; Andy Swant, Arthur J Gallagher Insurance; Michelle Compton, iCondo Property Management

• SnackPack with Justin and Jonathan on Engineering: When to Make the Call...

Presented By: Jonathan Wright, Elia Associates PC; Justin Tudor, P.Eng, Keller Engineering

• Legal Panel

Presented By: Mike Lewicki, Terra Firma Real Estate; Jim Davidson, Davidson Houle Allen LLP; Patricia Elia, Elia Associates PC; Rod Escayola, Gowling WLG; Gareth Stackhouse, Common Ground Condo Law

JANUARY 26, 2022: Lawyers, Guns, and Money – Webinar

Presented By: Richard Elia, B.Comm, LL.B., LL.M (ADR), A.C.C.I., Elia Associates PC; Jim Davidson, Davidson Houle Allen LLP; Michael Lewicki, Terra Firm Real Estate Condominium Law

FEBRUARY 16, 2022: Lunch and Learn – Let's Chat About the CAT

Presented By: Nancy Houle, BA (Hons), LL.B, Davidson Houle Allen LLP; Melinda Andrews, Davidson Houle Allen LLP

MARCH 23, 2022: How Does My Building Work? – Webinar

Presented By: Justin Tudor, P.Eng., Keller Engineering; Noah Johnston BA, OLCM, RCM, Sentinel Management

APRIL 6, 2022: Lunch and Learn – Budget Bites

Presented By: Nadia Freeman, ACCI, Capital Integral Property Management; Tuan Le, B. Comm., Ouseley Hanvey Clipsham Deep LLP Chartered Professional Accountants

APRIL 27, 2022: Don't Go Chasing Waterfalls... or Windows – Webinar

Presented By: Jocelyn Bédard, Groupe Fenestra; Stephanie Robinson, P.Eng., WSP Canada Inc.; Val Khomenko, Icon Property Management

MAY 4, 2022: (Virtual) Directors Course – Week 1

Presented By: Christy Allen, B.Comm, LL.B, Davidson Houle Allen LLP; Cheryll Wood, Davidson Houle Allen LLP

MAY 11, 2022: (Virtual) Directors Course – Week 2

Presented By: Nancy Houle, BA (Hons), LL.B, Davidson Houle Allen LLP; Cheryll Wood, Davidson Houle Allen LLP

MAY 18, 2022: (Virtual) Directors Course – Week 3

Presented By: Richard Elia, B.Comm, LL.B., LL.M (ADR), A.C.C.I., Elia Associates PC; Johnathan Wright, LL.B., LL.M., Elia Associates PC

MAY 25, 2022: (Virtual) Directors Course – Week 4

Presented By: Anne Burgoon, Bsc., RCM, Eastern Ontario Property Management Group; Justin Tudor, P.Eng, Keller Engineering; Andrée Ball, Keller Engineering

JUNE 8, 2022: Condo Myth-conceptions – Webinar

Presented By: Patricia Elia, B.Comm, LL.B., A.T. Coach, Elia Associates PC; Kim Renwick, Condo Management Group; Johnathan Wright, LL.B., LL.M., Elia Associates PC



HERE'S OUR SUMMARY OF HELPFUL WEBINARS AND OTHER RESOURCES FROM CCI CHAPTERS



ALSO

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



INFORMATION ROUND-UP: EDITORS' SUMMARY

WEBINARS TO CHECK OUT:



CCI EASTERN ONTARIO

Don't go chasing waterfalls...or windows – Panel discussion on leaks and window replacement / retrofit programs



CCI EASTERN ONTARIO

Budget Bites Lunch & Learn



CCI GOLDEN HORSESHOE

Going Electric – Condos and Car Chargers



CCI GOLDEN HORSESHOE

Managers as Advocates

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!

RESOURCE CENTRE (CCI NATIONAL):



PURCHASING / LIVING IN A CONDOMINIUM

Reflections of a Condominium Owner – CCI Grand River



CASE LAW UPDATE

Toronto and Area Chapter



IT'S EASY BEING GREEN AT MEDIATION

Toronto and Area Chapter

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