FALL 2021

CONDO CONNECTION CCI-NS Newsletter for a Positive, Strong, and Informed Nova Scotia Condominium Community



CCI-NS Education Programme 2021-2022



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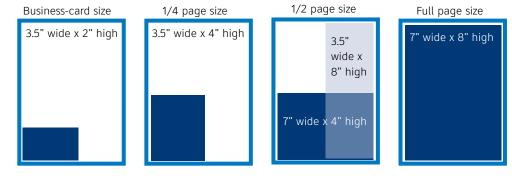
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Rates for CCI members: (see illustrations)



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MESSAGE FROM THE PRESIDENT

By: Devon Cassidy President, CCI Nova Scotia ur CCI Nova Scotia 2021-2022 year is off to a great start.

We will be holding our AGM on September 29 at 7pm. This AGM will be an educational session about how to run a smooth and effective virtual AGM, while also accomplishing the business of the CCI-NS AGM. After the last 19 months of living a more multi-tasking and virtual lifestyle, this educational AGM should help fine-tune all attendee's skills.

Our Education Committee has set the schedule for 2021-2022 and it is published in the newsletter. I encourage you to attend as any of the seminars as possible. It is a fantastic slate of seminars, and they are all included in your membership. We are staying virtual

with our seminars as we have seen a great response and increased participation which we love to see.

At the National Level we will be having our third CCI National Virtual Conference on November 13, 2021 and it should be a great day of content. Many of our CCI-NS members participated in the National Virtual Conference last May and I hope more of you can join in November. Details of the conference, as well as other upcoming National Events can be found in this issue or on the CCI National website.

I look forward to "seeing" many of you at events of the next couple of months. As always, CCI-NS is here to assist and would love to hear from you. Please reach out to us on our Facebook page or by email.



Lockboxes and Condo Corporations

By Lorena MacDonald, CCI-NS BOD and Harbourside Realty

Has your condo been plagued with lockboxes remaining at your property long after units have been sold? Throughout the city, you can see a line of weathered lockboxes off to the right or left of condo entrances. It is necessary to have a spot, for Realtors® to place a lockbox when selling a unit, but it is the Realtor's responsibility to remove the box once the sale closes.

For many Corporations, they don't know who owns the boxes and how to find the agent that has left the box behind. There is a solution to this ongoing issue. The Nova Scotia Association of Realtors[®] will have unwanted boxes removed.

There is a serial number on each box, and calling and providing that number, will allow the Association to trace the owner and notify them to have the box removed. If in the event that the box is not removed, the Association can arrange to have them cut off.

These boxes are expensive and most Realtors[®] will only leave them at the building until the sale is complete. Some corporations have cut boxes off themselves, but unfortunately, they have destroyed boxes that are actively in use for marketing a unit.

Working together, can minimize frustrations and unit owners can sell their condos without complaints.

The Nova Scotia Association of Realtors[®] can be reached at 902-468-2515. ■



CCI-NS Education Programme 2021-2022



By Michael Kennedy, CCI-NS BOD, and Chair of Education Committee

ith the positive experience we had last year with the Education Programme we are continuing to offer our seminars for free to members via Zoom. We will host another seven seminars from October through May (except December). The seminars will be conducted the last Wednesday of the month from 7 to 9 pm. Check the website Upcoming Events for specific dates and times.

In addition, we will be conducting this year's AGM within a seminar on how to conduct an AGM via Zoom. Tom Birchall, one of our Directors and Board Secretary, will be presenting the seminar. Tom has conducted many AGMs over the last year via Zoom including a hybrid meeting where some attendees were in physical attendance and others were via Zoom. With the COVID pandemic, all of us have had to adjust how we do meetings whether Board or AGMs. The ease and convenience of using Zoom or some other video conferencing tool is proving very beneficial and I believe is here to stay. If you have questions or just want to learn from others who have used this technology this will be a great opportunity to gain more knowledge and understanding. Come join us September 29, 2021 at 7 pm. Email CCI-NS to let Tom know you wish to attend, and he'll send you an invite with all the details.

October 27, 2021 - Insurance Claims

Ed Nix will host a seminar with a couple of insurance claims adjusters. We have focused on insurance over the past couple of years specifically in regard to rising costs. This seminar we will hear from experienced adjusters how they go about settling claims. It will be a great opportunity to understand how claims are settled.

November 24, 2021 - Dealing with Mental Health Issues

Amanda Hudson from Nova Scotia Health will talk with us about issues regarding mental health and addictions including tools that are available that Boards and Property Managers can use in managing these issues. This is an area that is becoming more prevalent and the more knowledge and help we can obtain can help all of us deal with these situations in a caring and positive manner.

January 26, 2022 - Reserve Fund Studies

Jim Fletcher P.Eng., of Bluenose Engineering will be available to talk about the ins and outs of reserve fund studies and how to use them in keeping our buildings and property in proper shape.

February 23, 2022 - Digitization Part III: Record Retention & Email Structure

Tom Birchall will be presenting the third session of this series. Tom, as well as being a condo owner, is the president of a self-managed condo corp. His success has greatly depended on using technology to the best advantage. Come listen to Tom as he takes us through his journey and recommendations for using technology wisely.

March 30, 2022 - Lawyers' Night

When I attended the last National Leaders Forum and Conference they had a session with several lawyers who talked about case law and their experiences dealing with condominiums. I found it so interesting that I have asked Devon Cassidy our President and real estate lawyer if she and her father, Pat Cassidy, along with Dan Campbell, one of our Directors and a lawyer who is a litigator, would present a seminar on their experiences on the law and what we can learn from it regarding condominium living. They agreed and so in March we will have a "night with the lawyers". I think you'll find it very illuminating.

April 27, 2022 - A Conversation with Property Managers

Another component that many of us depend on is that of property managers. I have asked three very experienced property managers to spend an evening in April with us talking about their lessons learned and what the rest of us can learn from their experiences.

May 25, 2022 - Rules of Order

Finally, our last session for the programme year will be with Tom Birchall who will be joining us to talk about "Rules of Order". Whether you're an expert or a complete novice this will be a great evening to talk about how we conduct meetings in an orderly and democratic manner.

I think you'll find we have a very interesting and broad scope of topics to present this year. With Zoom we can have a large audience attend all from the comfort of our own homes. There is always something to learn or confirm so come join us. It is an integral part of your membership. You will notice that at the moment I have not scheduled either the CM 100 or 200. I am in the concept stage of presenting these courses online where members will be able to take the course when they wish to and to take as long as they need to finish it. I am also considering making the courses a pass/fail with a credential for those passing the courses. Members will be able to take the courses as many times as they wish. More to follow in the coming months.

We have also begun to offer our seminars to other CCI Chapters on a quid pro quo basis. This will give even more offerings to our membership. The South Saskatchewan chapter recently invited CCI-NS members to attend their seminar on Borrowing for Condos. In addition, National started this year offering Chapter Chatter another educational offering. This is great news for our membership as it opens up an even broader array of topics and subject matter experts.

Remember as a member these educational offerings are included as part of your membership. I look forward to meeting with all of you as we each work to improve our knowledge and gain perspective from each other. Take advantage of these offerings and keep on learning.

Condo Water Leaks: What You Need to Know

(Excerpt from the Canadian Insurance Top Broker newsletter)

ater can deliver serious damage almost anywhere, even up on the top floors of a condominium building. "Clients may think they are above the deluge, but the smart broker knows better."

Roof leaks, plumbing problems, an overflowing bathtub, leaky dishwasher or a fire that sets off the sprinkler system: all mean bad news and condo owners need to arm themselves with more than an umbrella. Condo owners may think they are protected by their condo corporation, but many are unaware where their responsibility starts and the corporation's ends.

The newsletter notes this advice from insurance broker to client: make sure you know and understand your condo corporation's insurance coverage. Challenge your corporation, if necessary, to make sure there is adequate protection from water damage.

Condo owners might consider having a brief check list to review with the condo corporation. The newsletter suggests checking to ensure there is:

- Regular maintenance and inspection of plumbing lines and systems;
- Regular inspection of exterior walls, roofs, balconies and parking structures to detect any deterioration and head off costly repairs with preventative maintenance.
- Regular inspection of mechanical equipment, including sprinkler systems.

Other points that your insurance broker may wish to review with you when considering coverage for water damage:

- Where will the unit owner live during the time when water damage is being repaired and who pays for those costs?
- Are the contents of an owner's unit properly insured?



 Are the improvements or additions that a unit owner makes to his/ her condo listed and covered? The condo corporation's coverage is based on a "standard unit" and the amenities listed in that unit. Extra or more expensive flooring, moulding, cabinetry, appliances, lighting fixtures, carpeting should be adequately insured by the unit owner.

The article concludes by suggesting that insurance brokers make sure there are no leaks in their clients' coverage.

Good advice for Owners, too.



Here to support your legal needs

Our condominium law team represents over 400 existing condominium corporations in Nova Scotia and continues to grow their services throughout Atlantic Canada. With extensive experience in this area since 1982, our lawyers advise on all areas relevant to condominium boards and owners. Our team also has extensive experience with the development and registration of new condominium corporations.

From strategic advice to development solutions, our team is committed to your legal needs every step of the way.

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Records: To Provide or Not to Provide, **THAT IS THE QUESTION**

By Devon Cassidy, Lawyer, Cox & Palmer

ithin a condominium corporation, communication and disclosure is very important. Owners want to be informed as to the goings-on in their building and want to understand what has gone on in the past, so they can understand their investment. For this reason, the records of a corporation are very important.

This importance is confirmed by the number of issues which arise in respect of the records of a corporation. Owners and Board members often clash over what is a record, when it should be provided, and how promptly it should be provided.

As such, it would be helpful to restate the legislation which is quite clear in this area. *The Condominium Act* R.S., C. 85, S.1 states the following in respect of records of a corporation:

"18(1) The Corporation shall keep adequate records, and any member of the Corporation may inspect the records on reasonable notice and at any reasonable time.

18(1A) In this Section, "records" include financial records, minutes of meetings of the members of corporation and its board, the declaration, bylaws and rules, all items referred to in Section 17, any reserve fund study, all agreements entered into by the corporation, disclosure of conflicts of interest and all other records specified in the by-laws of the corporation.

18(1B) The corporation shall keep all financial records for at least six years from the end of the last fiscal period to which they relate, in addition to satisfying the requirements of any taxing authority of the Province, Canada or any other jurisdiction to which the corporation is subject.

18(1C) Upon receiving a written request and reasonable notice, the corporation shall permit any owner or an agent of an owner, duly authorized in writing, to examine the records of the corporation at any reasonable time.

18(1D) The corporation shall, within a reasonable time, provide a copy of any record to a person examining the records, if the person so requests and pays a reasonable fee to compensate the corporation for the labour and copying charges."



The records which are included in Section 17 are as follows:

(a) the seal of the corporation;

(b) the minute book for the corporation, containing the most current copies of the declaration, by-laws, rules and regulations and any amendments thereto;

(c) a copy of any agreement entered into by the corporation or the declarant or the representatives of the declarant on behalf of the corporation, including any management contract, deed, lease or licence;

(d) any existing warranty or guarantee for any equipment, fixture or chattel included in the sale of either the units or common elements that is not protected by a warranty or guarantee given directly to a unit purchaser;

(e) any as-built architectural, structural, engineering, mechanical, electrical and plumbing plans;

(f) any original specifications indicating thereon all material changes;

(g) any plans for underground site service, site grading, drainage and landscaping, together with any cable-television drawings;

(h) any plans and information not mentioned in clauses (e), (f) and (g) but relevant to the future repair or maintenance of the property;

(ha) the name, address and telephone number of the declarant and any subcontractor that performed work on the property;

(hb) the name, address and telephone number of any architect or engineer responsible for overseeing the designing or construction of the property;

(hc) all documents pertaining to the fire, sound and insulation rating of all structures on the property;

(hd) a description and copy of all warranties, including warranties for common elements and units;

(he) all information pertaining to bank, trust company, or credit union accounts holding the reserve fund and any other fund of the condominium;

(hf) copies of all financial statements prepared respecting the reserve or other fund;

(hg) a list of all the units in the property, an indication for each unit whether it is sold or unsold and the names and addresses of the unit owners for sold units;

(hh) a list of all units in the property that have not been sold and are subject to an executed purchase and sale agreement; (hi) a list of all units in the building that are being rented, together with the names of the renters and copies of any applicable rental agreements;

(hj) a complete copy of documents, including any amendments, filed with the Registrar to obtain registration under the Act, that are not otherwise required to be disclosed under this subsection; and (i) any other items that the Governor in Council may prescribe.

As such, all of these listed items, as well as any additional records identified in your corporation's bylaws, are to be provided upon reasonable request with reasonable notice.

Owners and Board should also be aware that a corporation can change to an owner the labour and copying costs associated with providing these records.

It is important for Board to respond promptly to records requests, and important for owners to realize that 24 hours is not a reasonable timeframe to expect receipt of records.

Being aware of the legislation, having your records maintained in an organized and ideally digital fashion, and by having patience for both owners and the Board, many issues around records should be able to be resolved without moving to dispute resolution.



By Lisa Power, Real Estate 360, (reprinted from Fall 2012 edition)

A LIST OF TO-DO ITEMS FOR YOUR CONDOMINIUM CORPORATION DURING YOUR FISCAL YEAR

- ✓ Prepare annual agenda
- ✓ Schedule board meeting dates
- ✓ Complete building assessment
- ✓ Review board binder for turnover to new board
- ✓ Schedule AGM and prepare information package for Owners
- ✓ Request tender proposal for landscaping services
- ✓ Prepare semi-annual newsletter
- ✓ Arrange for roof inspection, window cleaning and carpet cleaning
- ✓ Review insurance policy for renewal
- ✓ Plan community event/Info Session For Owners
- Review contracts for management services and building staff
- ✓ Complete Building Staff performance review
- ✓ Start budgeting process
- ✓ Prepare budget
- Finalize budget and send to Owners
- 🗸 Plan annual holiday party
- Prepare semi-annual newsletter

Condominium Terms and Concepts: **A Primer**



By Patrick I. Cassidy, Q.C., one of the founders of CCI-NS (reprinted from Summer 2015 edition)

The world of condominiums is a unique form of property development and community living. It has its own cultural norms and language terms. There is also a hierarchy of authorities in condominiums. *The Condominium Property Act of Nova Scotia* is paramount followed by the Declaration, By-Laws and Common Element Rules in each individual corporation. A lower authority cannot contradict a higher authority.

The most common terms and their meaning in the condominium world are as follows:

Annual General Meeting – this is a requirement once in each fiscal period and is a meeting of owners. Board elections, appointment of auditors, acceptance of financial statements and question and answer sessions are normal agenda items.

Board of Directors – this is the governing body of a condominium corporation. The Board is elected by the unit owners and is accountable to the unit owners.

Budget – the Board sets an annual budget for the corporation, which comprises current expenses as well as short and long-term reserves. The budget is allocated amongst the unit owners as per the Proportions contained in the Declaration.

By-Laws – one of the constitutional documents of a condominium corporation. They are subject to the Declaration and Act.

Common Elements – a condominium corporation consists of units and common elements. Common elements are owned by all unit owners as tenants in common.

Common Element Fees – the monthly amount paid by all owners to support the budget. You cannot compare this amount from corporation to corporation unless you know what is included in this fee.

Common Element Rules – these will impact the most on owners as they dictate day-to-day living rules – where you can walk your dog, fitness room hours etc. They are often attached to the By-laws as Schedule A. They are subject to the By-laws, Declaration and Act.

Contingency Fund – a short-term reserve account used to supplement the annual budget. Each first time buyer paying three months common element fees often funds it initially.

Declarant – the developer of the condominium project – often but necessarily an incorporated company.

Declaration – the strongest authority in the condominium corporation subject to the Act. It establishes the boundaries of units and their unit factors.

Description – this refers to the bundle of registration documents, including survey plans and the construction plans.

Estoppel Certificate – this is a document prepared by the Board, which is a snapshot of the financial health of the corporation. It is the primary source of due diligence relied upon by a buyer or mortgage company. Once the Board signs the estoppel they are denied or estopped from not backing up the information contained in the estoppel certificate.

Exclusive Use Common Elements – certain common elements are designated as exclusive use to a particular unit by the Declaration. Examples are; parking spaces, balconies, patios and storage areas.

Financial Statements – the Board must prepare and file financial statements audited by a third party on an annual basis for corporations with ten or more units. Un-audited statements required for corporations with nine units or less.

General Meeting – this is any other meeting of owners that is not an annual general meeting. There is no requirement to have a general meeting.

Insurance – there are two policies in place – the corporation maintains a master policy covering the physical structure of units and common elements and the unit owner maintains their own insurance but only covering unit improvements, contents and their own liability.

Management – the Board of Directors is mandated by the Act to carry out the management of the corporation for the benefit of all owners. Many condominium corporations, especially larger ones, will employ a professional management company and delegate many of the management duties to that professional manager.

Minutes – these are available for review by unit owners and include Minutes from annual general meetings, general meetings and Board meetings.

Operating Fund – this is the monthly account to which common element fees are deposited and monthly bills are paid.

Proxy – it is possible for a unit owner to give somebody else their proxy to represent and vote for them at a meeting. Board members cannot give somebody a proxy to represent them at Board meetings.

Quorum – this is the percentage of unit owners that must be present in person or proxy at a meeting for the meeting to have legal authority.

Reserve Fund – a mandatory long-term reserve account that is mandated to repair and maintain the physical structure of the common elements over time. It is governed by a reserve fund study for corporations consisting of more than nine units.

Reserve Fund Study – a building assessment report projecting the repair and maintenance needs over a thirty-year period. Means a condominium corporation does not depreciate as it is continuously being rebuilt. Required by the Act for corporations consisting of ten or more units.

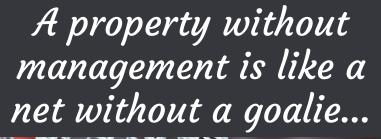
Special Assessment – often seen as a cash call as it is necessary if insufficient funds have been collected from the unit owners through normal common element fees.

Turnover Meeting – this is the first meeting where management and governance is turned over from the Declarant to the first Board, elected from the unit owners.

Unit – this is the condominium unit, which is purchased by the buyer. Its boundaries and allowable use is defined in the Declaration. Residential, commercial, recreational and bare land units are allowed under the Act.

Unit Factors – these percentages dictate how a unit exists in relation to all other units in the corporation. They specify; percentage common element ownership, voting percentage and, percentage cost contribution. The declaration establishes the Proportions. Their calculation method is not legislated beyond that they must equal 100%. Usually the calculation is based on unit square footage, or an equal percentage of the total.









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CCI NATIONAL UPCOMING EVENTS:

October 13, 2021 at 5:00pm AST

No Reservations - Are you paying close attention to your Reserve Fund Study or Depreciation Report?

Join our panel of experts as they discuss reserve fund studies and depreciation reports. Featured on the Panel will be CCI-NS's Daniel Campbell as a panelist and Devon Cassidy as moderator.

- Learn the provincial differences for capital planning. What's the difference between a reserve fund study and a depreciation report? Well, it all depends on where you live in this great country.
- Where do the planners get all the figures?
- You received your final report. Now what?
- What are the limitations on investing your funds?
- How can you borrow money for capital projects if it is needed?
- Is Canadian reserve fund legislation enough to prevent a catastrophic event?

November 13, 2021 at 10:00am AST

CCI National Conference: Adapting to a Changing Environment

Join fellow CCI members from across Canada for a full day conference discussing all things condo. The keynote speaker will be Dr. Mabel Hsin and she will speak on How to Bust Burnout and Harness the Grit of Superheroes.

November 24, 2021 at 8:00pm AST

CCI National AGM

Join the CCI National Executive and other members for the 2021 Annual General Meeting. Please go to https://cci.ca/events/upcoming-events for additional information and to register.



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Fall 2021

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Walter TingleyCrawford and Company (Canada Ltd.)902-497-1332Edmund NixBFL Risk & Insurance Inc.902-404-1104	
Edmund Nix BFL Risk & Insurance Inc. 902-404-1104	
LEGAL SERVICES	
Lauren Randall Boyne Clarke LLP 902-460-3421	
Devon Cassidy Cox & Palmer 902-491-3029	
Pat Cassidy, QC, ACCICox & Palmer902-491-3022	
MANAGEMENT SERVICES	
Joan and Don Buck Canmar Services Ltd. 902-445-1399	
Tony Hall Podium Properties Ltd. 902-445-4936	
Heather Nickerson Condo 51 Management Ltd. 902-830-2010	
Lorena MacDonald Open Door Property Management 902-431-3667	
Brian and Angel Dort Providence Property Management 902-292-6156	
Lisa Power Real Estate 360 902-464-7777	
Brian Lugar Novacorp Properties Limited 902-462-8666	
OTHER SERVICES	
Wayne Sajko Fennell and Associates Appraisers Limited 902-453-5051	
Rob Mabe Maxium Financial Services 905-780-6150	
Robert LiangLiang Painting Services902-292-8346	
Debbie McIssac Sonco Group Inc. 902-429-8200	
REAL ESTATE SERVICES-REALTORS	
Stacy Wentzell, FRI, ACCI Harbourside Realty Limited 902-456-2740	
Bonnie Hutchins, FRI RE/MAX 902-488-2820	
Alex Astbury, FRI, ACCI Red Door Realty 902-499-1119	
Melissa Massey Royal LePage Atlantic 902-719.9935	

Disclaimer: The professionals listed in this directory are members of the Nova Scotia Chapter of the Canadian Condominium Institute. The CCI-NS Chapter does not warrant, guarantee, or accept any responsibility for work performed by companies or individuals.



MEMBERSHIP APPLICATION

MEMBERSHIP TO JUNE 30, 2022

CONDOMINIUM CORPORATION MEMBERSHIP

MANAGEMENT COMPANY:				
Contact Name:				
Address:	Suite #:			
City: Provir	nce: Postal Code:			
Phone: Fax:	Email:			
I agree to receive electronic correspondence I DO NOT wish to receive electro	onic correspondence Signature: Date:			
CONDO CORPORATION:				
Townhouse Apartment Style Other	Board Member 3: Mr. Mrs. Ms. Other			
Condo Name/No.:	Name:			
No. of Units: Registration Date:	Address:			
Address:	City: Province: Postal Code:			
City: Province: Postal Code:	Email:			
Phone:	I agree to receive electronic correspondence Signature:			
Email:	I DO NOT wish to receive electronic correspondence Date:			
I agree to receive electronic correspondence Signature:	Board Member 4: Mr. Mrs. Mrs. Other			
I DO NOT wish to receive electronic correspondence Date:	Name:			
	Address:			
Board Member 1: Mr. Mrs. Ms. Other	City: Province: Postal Code:			
Address:	Email:			
City: Province: Postal Code:				
Email:	I DO NOT wish to receive electronic correspondence Date:			
I agree to receive electronic correspondence Signature:				
I DO NOT wish to receive electronic correspondence Date:				
Board Member 2: 🗌 Mr. 🗌 Mrs. 🗌 Ms. 🗌 Other	Address:			
Name:	City: Province: Postal Code:			
Address:	Email:			
City: Province: Postal Code:	I agree to receive electronic correspondence Signature:			
Email:	I DO NOT wish to receive electronic correspondence Date:			
I agree to receive electronic correspondence Signature: I DO NOT wish to receive electronic correspondence Date:	Electronic Correspondence: This section must be completed in order for the membership application to be processed. CCI communicates with its membership via e-mail regarding updates on condominium legislation, CCI events and opportunities, newsletters, and member communications; in accordance with the Canada anti-spam law, you must indicate whether you wish to receive electronic correspondence from us.			
Please forward all correspondence to: 🗌 Management Company ad	Idress Condo Corporation address			
Fee: \$5.00 per condo unit in a condo corp. No. of cond	o units: x \$5.00 = \$ 0.00			
	<u>+ 0.00</u>			
or Minimum \$80.00 Maximum \$225.00				

Canadian Condominium Institute - Nova Scotia Chapter #3-644 Portland St., Suite 135, Dartmouth, NS B2W 2M3 Tel: 902-222-4002 • Email: info@ccinovascotia.ca



MEMBERSHIP APPLICATION

MEMBERSHIP TO JUNE 30, 2022

PROFESSIONAL, BUSINESS PARTNER, INDIVIDUAL MEMBERSHIP

				ER	
CONTACT INFORMATION:					
Mr. Mrs. Ms.	Other				
Name:					
Company Name (if Professional or	Business Partner):				
Address:			Suite #:		
City:	Provinc	ce:	Postal Code:		
Phone: Fax	:	Email:			
Business Website:					
e-mail regarding updates on condom the Canada anti-spam law, you must	indicate whether you wish	n to receive electronic		ations; ii	n accordance with
Signature	·		· · ·		
MEMBERSHIP TYPE:	Annual Fee		F	Fee Ow	ving
Individual Membership	🗌 \$85.00		\$	\$	0.00
Professional Membership	🗌 \$225.00		\$	>	0.00
Business Partner Membership	🗌 \$225.00		\$	>	0.00

METHOD OF PAYMENT:

Cheques should be made payable to:

Canadian Condominium Institute - Nova Scotia Chapter #3-644 Portland St., Suite 135, Dartmouth, NS B2W 2M3 Tel: 902-222-4002 • Email: info@ccinovascotia.ca



