



Spring 2018

In This Issue

- 1 Message From The President
- 2 The new Proxy Act
- 3 CMRAO
- 4 Amendments to the Employment Standards Act
- 5 Electric Vehicle Charging Stations
- 6 Spring maintenance tips
- 7 With pot legalization looming, Ontario realtors call for stronger protections against grow-ops
- 8 Nadlan-Harris News
- 9 Team Seminar

A Message from the President

Dear Board of Directors,

With spring finally upon us, we would like to take the opportunity to wish you all a sunshine-filled season. Hoping 2018 will be just as, if not more successful than 2017.

With the summer months around the corner, we wish that you get to spend much needed time with family and friends, basking in warm temperatures.

Sincerely,



Liron Daniels

President R.C.M., P.P.L., B.E.S.

Important ACMO Alert**Bill 106 – Protecting Condominium Owners Act**

We have been notified that Bill 106, Protecting Condominium Owners Act 2015, which includes the Condominium Management Services Act, 2015, passed Third Reading on December 3, 2015 by a vote of 89-0. The Standing Committee submitted several amendments to the original draft, and members of the Government Relations Committee will analyze the new version and draft a report for members in the coming days. For now you can visit our website www.acmo.org/condo-act-news for the latest updates including links to the amended version of the Bill.



NEW PROXY ACT EXPLAINED TO OWNERS

The Condo industry is going through significant changes aiming at improving the lives of condo owners in Ontario. As part of the many changes implemented through the *Protecting Condominium Owners Act*, the province has developed mandatory forms aimed at streamlining how condo corporations conduct their affairs.

Effective as of November 1, 2017, there is a mandatory proxy form available on the government's website at https://files.ontario.ca/proxy_form_en.pdf

The new *Condo Management Services Act* will specifically prohibit condo managers (or anyone acting for them) from soliciting proxies.

The challenges with this restriction is that condo managers are often very much involved (and required) in the process of circulating, collecting and preserving proxies leading to an owners meeting. The draft regulation proposed under the *Condo Management Services Act* (circulated earlier this year), helps shed some light on what can and cannot be done. If the regulation is adopted as it presently reads, what managers will be prohibited from doing is attempting to petition or try to proxy for a meeting of owners.

Condo managers will, however, not be prevented from:

- Collecting or holding proxies or providing a location in which proxies can be collected and held;
- Notifying or reminding owners or mortgagees to submit proxies if they are unable to attend a meeting of the owners;
- Making information available on how to submit proxies;
- Providing proxy forms as part of anything that the corporation gives the owners or mortgagees (AGM packages, for instance);
- Providing proxy forms to owners or mortgagees on requests.

This should allow condo managers to continue to assist with organizing and holding owners meeting. What they will not be able to do is actively campaign or solicit proxies. This will be left to... owners and directors.

CMRAO BEGINS OPERATION



CMRAO (Condominium Management Regulatory Authority of Ontario) have begun operations on November 1, 2017.

A non-profit corporation, CMRAO is funded by licensing fees paid by the condo management sector and governed by an independent board of directors.

As an administrative authority established under legislation by the Government of Ontario, the CMRAO reports on its operations to the Ministry of Government and Consumer Services.

CMRAO's mandate?

Established under the [Condominium Management Services Act, 2015](#), they are mandated to protect condo consumers by setting standards and enforcing mandatory licensing of condo managers and condo management companies.

How CMRAO helps the condo management industry?

By achieving its mandate, it is expected that the industry will achieve an enhanced reputation and will strengthen the perception of the condo management profession.

Why a new licensing system?

In 2012, the Government of Ontario launched a review of the Condo legislation for the first time in more than 16 years. Part of this review was a Province-wide consultation that examined the changes in Ontario's condo sector and its growth across the province. The review of the [Condominium Act, 1998](#), which generated 200 recommendations from condo owners,

developers, managers and other experts, which included establishing minimum requirements for setting up a condo management firm or working as a condo manager were required. The province was urged to set clear, mandatory standards to ensure a reasonable level of competence and integrity.

Deadline for applying for a license to practice legally in Ontario is March 30, 2018.

The types of licensing include:

- General Licence
- Transitional General Licence
- Limited Licence
- Condominium Management Provider Licence (Firms)

New Employment Standards Affecting Condominium Corporations

In addition to being busy amending the *Condominium Act*, the province has also been busy amending the *Employment Standards Act* (the "ESA"). Some amendments to the ESA came into effect on January 1, 2018 and more amendments are coming later in 2018. This is just a summary of some of the changes and obligations imposed on employers.

Changes to the Employment Standards Act

The ESA is the provincial legislation prescribing certain minimum standards that must be adhered to in the workplace. Condominium corporations, property managers and their respective employees are covered by the Act and must abide by it.

Many changes to the ESA came into force on New Year's Day, including:

- Raising Ontario's general minimum wage to \$14 per hour;
- Expanding the forms and durations of protected leaves afforded to employees;
- Increasing paid vacation to three weeks after five years of service with the same employer.

Further changes will be implemented to the ESA on April 1, 2018, particularly with respect to equal pay for employees who perform substantially similar work in the same establishment.

Mandatory Poster must be Posted

as a result of the amendments to the ESA, to ensure both employees and employers are aware of their rights and obligations. The Ministry of Labor has released a new version of its Employment Standards Poster (the "Poster"). All employers covered by the ESA must post the most recent version of the Poster (version 7.0) in their workplace at a location where employees are likely to see it. Employers must also provide to all employees covered by the ESA a copy of the Poster. An employer can provide a hard copy of the Poster or attach an electronic copy to an email to the employees.

The English version of the Poster must be posted in the workplace. However, if the language of the majority of employees in the workplace is a language other than English, such as French, then the French version of the poster must be displayed next to the English version. A copy of the poster in different languages can be found on the [website of the Ministry of Labor](#).

Condominium corporations and property managers should take the time to familiarize themselves with all of these new changes and regularly review their human resources practices and policies to make sure they comply with the evolving legislation.



ELECTRIC VEHICLE CHARGING REQUIREMENTS FOR CONDOS

Electric cars which were once a dream, no longer is. Car manufacturers are offering an increasing number of options from hybrid cars to fully electrical ones, which could offer significant savings for the owners and are much friendlier to the environment. However, their arrival in the condo world can create challenges. There has been reported stories of "friction" between environmentally conscious owners and condo corporations.

Sometimes, the problem results from owners not fully understanding what they own (Do they own the actual parking spot? Do they own the electric outlet

near it?). Other times the problem has more to do with who is going to pay for the installation and for the electricity being used and whether the corporation's grid can accommodate an increased demand.

Ultimately, the issue mainly revolves around cost: who will pay for what?

The province of Ontario has just released new requirements dealing with Electric Vehicle Charging Stations in condominiums. These new requirements will take effect as early as May 1, 2018. The Ministry of Government and Consumer Services summarizes these new requirements as follows:

1. Condo corporations meeting certain conditions will be exempt from certain requirements in the Condo Act that would otherwise apply to corporations seeking to install electric charging stations on condo property;
2. Owners meeting certain conditions and condo corporations will be exempt from certain approval requirements in the Condo Act that would otherwise apply to condo owners requesting to install electric vehicle charging stations.

Visit <http://www.mto.gov.on.ca> for further details on the amended regulations, and the province's [Plain Language Guide](#)

The province has already changed the Status Certificate forms to address these changes.

With pot legalization looming, Ontario realtors call for stronger protections against grow-ops



Ontario's real estate agents want stronger rules to protect home buyers from purchasing a former marijuana grow-op – a situation they say will increase once cannabis is legalized this year.

The Ontario Real Estate Association, which represents the province's 70,000 realtors, has proposed a series of changes it says can act as a "regulatory shield" and protect home buyers from health and safety risks linked to grow-ops. The group's president, David Reid, said Monday that growing pot indoors requires high temperatures and humidity, which can create dangerous conditions that are hard for home buyers to detect.

"Former cannabis grow operations, even on a small scale, can pose significant health and safety issues for unsuspecting home buyers," Reid said. "These risks are often masked by owners of existing grow operations when the property is sold, making it very difficult for home buyers and realtors to detect problems like mould and fungus."

Reid said in Denver, Colorado – where marijuana has been legal since 2014 – police estimate one home in 10 grows pot inside.

"Make no bones about it, as of this summer more Ontarians are going to be growing legal pot at home," he said. "Realtors would support a full ban on the home cultivation of marijuana; however we don't expect the government of Ontario to take that step with legalization of recreational marijuana on the horizon."

The group is instead asking the Ontario government to restrict the number of plants a home owner can grow in a condo or apartment unit 1,000 square feet or smaller to one plant, down from four.

Ministry of the Attorney General spokesman Brian Gray said in a statement that as the province approaches legalization it will continue to work with all sectors, including realtors, homeowners, and landlords to "ensure that people have the necessary information and protections in place to make informed decisions about buying and selling a home."

Gray said that the province has adopted the federal government's recommendation of allowing homeowners to cultivate four plants, but those plants must originate from licensed seed or seedling suppliers.

The Ministry of Government and Consumer Services is currently developing regulations to set qualifications for home inspectors and will consider the real estate association's proposal as a part of that work, he added.

Reid said his group would also like home inspectors to receive training on how to spot the signs of former marijuana grow operation.

"As a realtor, it's unsettling not always being able to inform buyers that a home they're considering was once a marijuana grow-op," he said.

The association also wants to ensure all illegal cannabis operations are inspected by a building inspector, and it wants all municipalities to be required to register remediation work completed on a property. Once a home has been properly remediated, it can be removed from the list, Reid said.

The federal government introduced legislation in April 2017 with a goal of legalizing and regulating the use of recreational pot, but left it up to individual provinces to design their own distribution system and usage regulations.

Ontario was the first province to announce a detailed plan to sell and distribute recreational cannabis, and it sets the legal age to purchase it at 19.

The province plans to set up approximately 150 stand-alone cannabis stores by 2020. The first wave of 40 stores will open in July, with that number rising to 80 by July 2019.

Consumption of legal weed will not be allowed in public spaces or workplaces and should be confined to private residences, the province has said.



TIPS TO HELP YOUR BUILDING WORK FOR YOU

The great thing about living in a condo is that a lot of the annual maintenance that most homeowners do themselves is done for you. Duct cleaning, filter changes, carbon monoxide alarm testing, common area painting, and much, much more.

Keeping the space around your panels, vents and alarms clear, and accessible, helps us and the professionals involved, do their job effectively.

Please help by doing the proverbial spring cleaning. Spring and fall are when most condos send maintenance staff to check on the essentials.

NADLAN-HARRIS NEWS

Nadlan-Harris Property Management Inc. is happy to announce our new additions to our portfolio.

We are now the proud Management team for the Papillion Shared Facility consisting of over 800 units.



PAPILLION SHARED FACILITY

NADLAN-HARRIS NEWS

Nadlan-Harris is proud to announce a new era of management of Geothermal Condominium building. The team at Nadlan-Harris is excited to embark on this new journey.

There are both environmental and financial benefits to using a geothermal HVAC system.

With the prediction of the future decline in production of fossil fuels, governments worldwide need to develop energy conservation strategies that include an increased use of renewable energy. By harnessing the heat from the ground, a geothermal system reduces the dependence on fossil fuels and subsequently the building's overall carbon footprint.

The increased efficiency and lower consumption of electricity than conventional systems make geothermal systems a more cost-effective option in the long run. The initial investment of installing a geothermal system is offset by the monthly savings in utility costs, which are only moderately affected by the fluctuating fossil fuel and electricity costs. When properly installed, the piping in the earth has a very long shelf life and the maintenance expenses have proven to be less expensive than solar, wind and traditional power sources.



Team Seminar

Nadlan-Harris Property Management Inc. Team Seminar Held on February 27th, 2018.

The Nadlan Harris team would like to thank Lou Natale from Miller Thomson (condominium lawyer) for joining us as and being the guest speaker. Our main focus for this seminar was on all the new Condo Act changes.

