

NADLAN-HARRIS PROPERTY MANAGEMENT INC.  
FALL NEWSLETTER, 2019

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## Message from the President

Dear Board of Directors,

This fall issue of our newsletter has great articles regarding items that relate to Condominium living. Please take a moment to read through some of the articles.

I look forward to seeing everyone soon. In the meantime, enjoy the beautiful colors of the fall. As always, I welcome your emails.

Sincerely,



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

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## Company News

*We encourage all residents to log into your Community website and use the fantastic features, as it is a great means of connecting with the community. **NEW features such as mobile access and consent to receive electronic communication have been implemented.** The platform will allow Nadlan-Harris Property Management Inc. to facilitate communication, increase efficiency and allow residents an opportunity to provide their valued feedback. We look forward to connecting with you.*

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## LAWS ARE CHANGING TO SUPPORT CONDOMINIUM

### LIVING

*Nadlan-Harris Property Management Inc. was mentioned in this article*

Laws are changing to reflect growing interest in condo living and the mini governments that oversee condo corporations.

The existence of ownership within a high-rise building necessitates existence of a local "government" to oversee it. The Condo Act provides owners with the right to participate in governance of their home.



Douglas Harris, a University of British Columbia law professor and author of a Property Law Reader, 4<sup>th</sup> Edition, researches the legal structure of condo ownership. According to Mr. Harris, condo living is resulting in our privatizing a large aspect of local

government. Courts and legislatures throughout Canada are revisiting the nature of property because of the popularity of condo living.

Liron Daniels, President of Nadlan-Harris Property Management, cites disputes among neighbors as an example of how this privatization works. "Traditionally, homeowners have contacted police or imitated a lawsuit when unable to resolve a dispute. Today, condo owners rely on condo management to enforce declaration, bylaws and rules, and any other potential condo documents. Courts have supported this by finding condo resident failing to abide by these documents guilty of crime." Penalties can include jail, forced eviction or forced sale of a condo. These remedies are unique to condo living and do not exist for owners of a single-family home.<sup>1</sup>

## 2019 FEDERAL ELECTIONS

Federal election officially begins on Wednesday September 11, 2019 and Canadian will go to the polls to elect our national leadership on October 21, 2019.

During the election period, candidates have certain



rights under the Canada Elections Act and the Condominium Act, 1998. There are several items which apply to condominiums therefore, the CCI- Toronto Legislative Committee would like to inform members on their obligations

during the election period.

### CANVASSING

The Elections Act is very clear:

#### **Canvassing, etc., in residential areas**

- **81(1)** No person who is in control of an apartment building or gated community may prevent a candidate or his or her representative from
  - (a) in the case of an apartment building, condominium building or gated community, canvassing, between 9:00 a.m. and 9:00 p.m., at the doors to the apartments, units or housed, as the case may be;
  - (b) in the case of a multiple-residence building, campaigning, between 9:00 a.m. and 9:00 p.m., in the multiple residence.

Section 118 of the Condominium Act also states:

- **118** No corporation or employee or agent of a corporation shall restrict, reasonable access to the property by candidates, or their authorized representatives, for election to the House of Commons, the Legislative Assembly or an office in a municipal government or school board if access is necessary for the purpose of canvassing or distributing election material.

This means that with reasonable limits, those canvassing on behalf of a candidate have the right to access the property. If you or a representative of the community have concerns about persons accessing the property, ensure that you ask for appropriate identification prior to allowing entry.

<sup>1</sup> Toronto Condo News, September 2019 Issue



## RIGHT TO LEAVE MATERIALS

There is no specific provision on the Elections Act that allow candidates to leave materials on private property, but Sec. 118 of the Condo Act does allow candidates, or their representatives, to distribute election material.

It would be reasonable to expect that canvassers should leave any materials in a tidy manner so as not to litter the common elements.

## SIGNAGE

Many condominium corporations have rules which restrict or prohibit Owners and Residents from placing signage in windows or other areas visible from the common element areas.

In a Federal Election, condominium corporations may not prohibit the display of advertising posted in an Owner or Residents "own unit".

This means that signage may be displayed, with certain restrictions (such as a townhouse owner may not place signage on the front lawn but may be allowed to post same in their front window). Additionally, it is possible to set reasonable limitations such as size or number of posters which are displayed

## POLING STATIONS

It is not uncommon for condominium corporations to be selected as polling stations on election day. If you community has been selected for this upcoming election it is likely that you have already been notified by Elections Canada. Typically, a normal amount of compensation is offered.

## PENALTIES FOR NON-COMPLIANCE

There are financial penalties under the Act if any of the above requirements are not adhered to. The amount depends on the nature of the offense.

While we understand that there may be some disruption or inconvenience during this period, we remind all Boards and Property Managers of the importance of a fair democratic process and this is the intent of the Act.<sup>2</sup>

<sup>2</sup> CCI-T Legislative Newsflash  
September 2019

## CANNABIS USE IN CONDOS

A condominium corporation in Mississauga enacted a rule that requires all residents who wish to smoke cannabis in their units to register with the corporation within 30 days of the effective date of the rule. The rule also states that only those who have registered will be allowed to smoke cannabis in their units.



This rule has caused concerns among residents. The registry infringes on the privacy of residents. Even though, section 55 of the

Condominium Act, 1998 protects information relating to specific units, the registry will not form part of the records of the corporation that owners, purchasers and mortgages can request to examine.

It appears that the condominium corporation has decided going forward to prohibit residents from smoking in their units and has created the registry in order to grandfather those who were smoking cannabis prior to the enactment of the rule.

Even though federal legislation has legalized the recreational use of cannabis and the cultivation of cannabis for personal use, condominium corporations can enact reasonable rules or amend the condominium declaration to create provision that will regulate or restrict these activities on the condominium property.

Amending the declaration is difficult as it requires the written approval of the owners of at least eighty percent of the units in the corporation. Upon enacting a rule, the board must send a copy of the rule to the owners, along with a statement that the owners are entitled to requisition a meeting. If no meeting is requisitioned within 30 days of the notice being sent, the rule becomes effective on the 31<sup>st</sup> day. If a meeting of owners is requisitioned the rule will become effective only if most owners at the meeting do not vote against the rule. While all the tenants and residents in the condominium are bound by the rules only the owners have to opportunity to requisition a meeting to challenge a rule.<sup>3</sup>

<sup>3</sup> Denise Lash, Condo Business July 2019



## NEW ENERGY REPORTING REQUIREMENTS

Benchmarking and reporting on energy and water use for buildings is coming. Mandatory reporting will include condo building. The approach is similar to what has been adopted in other urban areas including New York and Chicago.

Ontario's Green Energy Act requires condo corporations to report energy and water use in their buildings starting in 2019. This covers all multi-residential building of more than 50,000 square feet (approximately 50 units).

Smaller buildings, those more than 50,000 square feet and less than 100,000 squares were required to file their first report by July 1, 2019 for the 2018 calendar year. Larger building, those over 100,000 square feet and more than 10 units, must file their first report by July 1, 2020 for the 2019 calendar year.

Non-filers could be publicly named by the Ministry of Energy and denied access to funds available for utility cost reduction projects and energy efficiency incentives.

Ontario's Open Data will be a public catalogue of information on energy and water use for large buildings. Condo owner will be able to determine how their building performs in energy and water use compared to buildings of similar type. Public visibility of poorly performing buildings is hoped to motivate them to improve building operations.

Energy and water costs can account for about half of a condo building's expenses. Reducing these costs by improving building performance is expected to provide financial benefits to all condo owners. Public reporting of this information may encourage condo management to shift their focus from replacing old equipment to running existing equipment more efficiently.<sup>4</sup>

## IS DRYNESS A PROBLEM IN YOUR SUITE?



Your Home should be the ultimate place of comfort for you and your family. Dry air can cause damage to your home and threaten your health. That's why adding moisture to the air is crucial during the heating season. It helps to alleviate the problems caused specifically by low relative humidity in your home; such as dry nose, scratchy throats, itchy skin, and static shock.

The American Society of Otolaryngology reports that low humidity can create a perfect environment for viruses to thrive and increase the likelihood for your family to get colds, flu and upper respiratory ailments. You also become more susceptible to infections.

Increasing the humidity of your home helps eliminate the dry air which can irritate and inflame the respiratory passages in the nose and throat and can relieve the discomforts of colds and flu.

Here are some interesting facts:

- The average North American home can be up four times below recommended indoor relative humidity levels.
- Protect your family, improve your comfort, health and prevent damage to your home with whole-home humidification

By installing a humidifier in your home, you will make your home more comfortable during the colder months as well as less susceptible to infection and the common cold. There are many great companies which provide this service in your area. Take care of yourself and your home during these colder months.

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<sup>4</sup> Toronto Condo News  
September 2019 Issue

## **NADLAN-HARRIS PROPERTY MANAGEMENT INC. NEWS**

### **ACMO 2000 CERTIFICATION COMPLIANCE AUDIT**

Congratulations to our team at Nadlan-Harris Property Management Inc. for completing our ACMO 2000 Audit and receiving the ACMO 2000 certificate.



### **RECENT ADDITION TO OUR PORTFOLIO**

We now proudly manage the Royalcrest Condos located at 45, 55, and 65 Huntingdale Boulevard, Scarborough, ON M1W 2N8.





**Association of Condominium Managers of Ontario**

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July 22, 2016

Mr. Liron Daniels, RCM  
President  
Nadlan-Harris Property Management Inc.  
500 Champagne Drive  
Toronto, ON M3J 2T9

Dear Mr. Daniels:

On behalf of the Condominium Management Standards Council it is my pleasure to confirm Nadlan-Harris Property Management's successful completion of the ACMO 2000 Compliance audit. The detailed audit report is attached, and you will note with pride that no nonconformities were identified during this assessment. We congratulate the Nadlan-Harris team on this accomplishment!

We would like to present the ACMO 2000 Compliance plaque to your firm at the next regular ACMO luncheon, which will be held at the Toronto Congress Centre on Friday, September 30th. We will provide two complimentary registrations and ask that closer to the time you please confirm the names of those attending, together with any additional registrations if applicable.

Your continued support of the ACMO 2000 standard and professionalism in our industry is greatly appreciated.

With kind regards,  
On behalf of the Condominium Management Standards Council

  
Amanda Curtis, CAE  
Executive Director

Enclosure



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August 7, 2019

Mr. Liron Daniels, RCM  
President  
Nadlan-Harris Property Management Inc.  
500 Champagne Drive  
Toronto, ON M3J 2T9

Dear Liron:

On behalf of the ACMO Membership Standards Committee, I am very pleased to confirm that Nadlan-Harris Property Management has successfully completed the ACMO 2000 Compliance Audit. The detailed report is attached, and as you will see this was an exceptional audit with no non-conformities! Congratulations are extended to all those involved in maintaining the standard and preparing for the audit.

We would like to present your ACMO 2000 Compliance plaque at the next GTA luncheon, which will be held at the Pearson Convention Centre on Friday, September 13th. We will provide two complimentary tickets to Nadlan-Harris, and will contact you closer to the date to confirm the names of those attending, as well as to determine if you would like to reserve a table.

Your continued support of the ACMO 2000 standard and overall professionalism in our industry is greatly appreciated. Thank you, and congratulations again!

With best regards,  
On behalf of the Membership Standards Committee

Amanda Curtis, CAE

c.c. Aleksandra Czyzkowska, Nadlan-Harris Property Management Inc.  
Paul MacDonald, Executive Director, ACMO  
Catherine Murdock, RCM, Chair, Membership Standards Committee

Attachment