

## NADLAN-HARRIS PROPERTY MANAGEMENT INC. SUMMER, 2019 NEWSLETTER

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### Message from the President

Dear Board of Directors,

The Summer is officially here. Let's enjoy it with positive vibrations, family fun, and outdoor activities. Our team at Nadlan-Harris Property Management Inc. thanks you for allowing us to continue to serve you for yet another season.

In this issue of the Summer newsletter, you will find articles related to Condominium living. Please take the time to read it while you are enjoying the warm weather.

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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## **BENCHMARKING TO REDUCE BUILDING'S ENERGY AND WATER COSTS**



By annually reporting your condominium's energy and water usage data, you can begin to track your consumption, identify opportunities to improve your building's efficiency and reduce your energy and water usage and costs. The initiative will also produce data that allows you to compare your building's performance with other similar building.

Currently under EWRB commercial, industrial and multi-residential building 100,00 square feet or larger are required to report their data to the provincial government by July 1, 2019. By 2020, when the EWRB initiative is fully phased in, buildings 50,000 square feet or larger will be required to report annually by July 1.

## **HIGH-RISE CONDO BUYER DENIED INSURANCE DUE TO FLOOD EMERGENCY**



*"I can understand why they wouldn't want to sign policies on flood-affected properties, but to paint the whole city or whole region as no-insurable*

*is ludicrous" - Pat St. George, Aviva Canada customer*

After Mr. St. George and Mrs. Nei divorce, they decided to buy their own Condo in different area of the City in Ottawa. Mr. St. George was able to transfer their home protection policy to his new Condo but when Mrs. Nei tried to take out new policy with Aviva Canada, the company they have been dealing with for last six years. They said no.

## ***Common Practice***



Aviva Canada cited Ottawa's estate of emergency, declared on April 25 as floodwaters threatened parts of the city of Ottawa and they will resume offering

policies to homebuyers once the state of emergency ends.

In written statement to CBC, the company explained: "Like most insurer, Aviva Canada does not sell new home or automobile policies located in an area that is under a flood alert or flood evacuation order." They also say that once the state of emergency ends, it will resume offering policies to homebuyers in Ottawa.

Aviva Canada also cancelled Mr. St George's added water protection for his existence policy, which covers sewer backup and overland flooding, until the emergency is lifted.

Mr. St. George express his concerns in statement "I can understand why they wouldn't want to sign policies on flood-affected properties, but to pain the whole city or region as non-insurable is ludicrous and I can only imagine how many people are being affected by this."

According to Ottawa Real Estate Board, 2,032 residential properties were sold in Ottawa in April. Each one of those buyers would need home insurance to acquire a mortgage.

## ***Conflicting Interests***

Pete Karageorge, director of consumer and industry relations with the Insurance



Bureau of Canada said, "Insurance companies are not in the position to expand during state of emergencies and take on more risk.", "Regardless

if you are right by the water's edge or you are well inland or in a high rise, the insurance companies, not all, but many, are saying, 'We're holding off taking on more risk until the situation is normalized.'"

However, Karageorge believed that Insurance companies must consider their current policy holders, "It does seem unfair, you've got conflicting interests, and that's where the challenge is taking on new polices."

He also added that there some insurance companies that will offer policies during states of emergency. However, according to Mrs. Nei two out of six companies she called would say yes to new policy.

"you are kind of at the whim of getting any insurance company to give you a policy," Mr. St. George said. "who to say she is getting a fair rate?"

## **CAN YOU BBQ ON YOUR CONDO BALCONY?**



With the summer season finally here, so is the barbecue season; With it comes the big question pertaining to BBQ safety and neighbor etiquette. When Occupants have exclusive use of a balcony in mid to high-rise condominiums, are they allowed to BBQ on balconies and terraces? The answer might vary from municipality and from one condominium corporation to other.

### ***Check your Municipal By-Law***

A quick research on your municipality's website will easily provide you with some guidance on whether BBQ's are permitted on balconies. Notably Toronto, Mississauga have no by-law prohibiting them. However, Toronto acknowledge that condominium corporation have the legal authority to prohibit barbecuing on their property.

### ***Check your Condo's governing Documents***

Whether your city allows BBQs on balconies, condominium corporation can prohibit them. Indeed, boards may adopt rules to promote the safety, Security and welfare of occupants or to prevent unreasonable interference with the use and enjoyment of the common element and units of the corporation. BBQs on a balcony can be both hazardous and disturbing to neighbors and a corporation can prohibit the use of BBQs due to either their insurance policy or smoke and smell disturbances between neighbors.

### ***Other Provincial regulations***

Some Corporations allow the use of electric BBQs only, while newer corporations allow combustion BBQs directly hooked into the building's natural gas supply. Finally, other corporation may prohibit BBQs all together. Keep in mind that propane BBQs are regulated by the technical standard and Safety Authority (TSSA) which provides the following requirements:

- BBQS are approved for outdoor use only:
- Propane tanks must be safely stored, transported, connected and used. You must use the service elevator when transporting a propane tank
- BBQs must be kept clear of all combustible materials

There are great tips on how to have a safe BBQ season.

## **USE OF P.O.P BY THE CONDO CORPORATION**

As city's urban landscape grows rapidly, there are large demands on creating open spaces, parks, and playgrounds. City often encourage private developers to include "P.O.P" short for Private Owned Publicly Accessible Spaces in their application processing. Part of the agreement is to



design the space that is welcoming for the public and accessible for them to use. To make the area more inviting for the public, the builder can accommodate greenery, seating area, and play area for kids, and exclude the use of fence, walls or blocks to block access and discourage people. When P.O.P forms within Condominium corporation, the corporation will be responsible to maintain, and repair common elements even though the area is accessible to public. This will increase costs for condo corporation. In addition, by law the corporation must take proper measures to ensure persons who enter the area are reasonable safe. Which means the Condo Corporation is more exposed to personal injury lawsuit claims. All condominium corporations must obtain occupier's liability insurance which will include coverage for any P.O.P; However, in some cases, due to the potential exposure to liability claims the premium will cost more. Moreover, the corporation must observe the cost of installation of signs that is adopted by City of Toronto to identify this area as private owned.

With all the additional responsibility P.O.P adds on to the corporation, please keep in mind the importance of its role in the community and the need for open space in the City where land become increasingly limited and expensive. So, if you are an owner or a perspective purchaser of the unite in a condominium that has P.O.P on its property please take time to understand the implication that the POPS has on your investment.

### **THE RIGHT TO SMOKE CANNABIS**

Legalization of Cannabis means people can use Cannabis wherever they can use Cigarette unless by-law is in place to prohibit the act. For Condo residents this means they can smoke, consume edible or oil in the comfort of their own unit, balcony, patio, or terraces. The Condominium corporation passed the rules or workplace policies which strictly prohibited the smoking or vaping of Cannabis in or on the Condo Property.

In the process of passing a Cannabis rule, some

residents questioned whether the individuals have rights to smoke Cannabis. Federal and Provincial Human Rights Legislation prohibit discrimination based on certain "protected" grounds, including disability. When a resident or employee possess a condition that may be considered disable, under Human Rights legislation, the Condo Corporation has a mandatory duty to accommodate the persons disability.



The Ontario Human Rights Commission issued a policy statement on Cannabis and Human Rights Code in July 2018 which sets three key consideration to accommodate Cannabis use.

- 1- Is it for medical use? People who use cannabis for medical purpose related disability which includes addiction, have the right to disability-related accommodation to the point of undue hardship. There is no duty to accommodate recreational use. Only if they can verify their disability-related needs by providing medical information to support their request.

Considering this information is highly personal and subject to privacy rules regarding its collection, use and disclosure; Therefore, Condominium Corporation only collect necessary medical information to determine whether the duty to accommodate is triggered.

- 2- What alternative ways they can use Cannabis? To determine the condominium duty to accommodate. It's

important to determine whether smoking of the Cannabis is necessary, or the individual can get the same benefit from consuming edible, or oil. Especially when other residence or negatively impact by smoke transmission.

- 3- What if Cannabis use cause impairment at work? The consideration for Cannabis use is different for employee of Condominium Corporation. An employee is not permitted to smoke or vape in workspaces. In appropriate cases where they must use cannabis for disability related need, they must provide valid medical information, and only allow to consume edible or oil. Also, the consumption should not affect their performance, or interfere with workplace health and safety. Generally, the condominium corporation restrict the use of cannabis for their employee. They can accommodate their employee by changing some job duty, making alternative work arrangement.

### **WHY DO CONDOMINIUM APARTMENTS HAVE 2 LINT TRAPS IN THEIR LAUNDRY FACILITY?**

Air is vital to the operation of a dryer, which must be allowed to flow freely in order to dry clothing properly. Air, after being heated and expelled from the dryer, must find its way to the outside of the building. In most condominiums, the exhaust route for the air is via a 4" or 5" duct system, usually hidden inside the ceiling or a bulkhead.

In a house the exit for the expelled air is close to the dryer. In a condominium the vented air often follows a long and circuitous route. Since the dryer by itself does not have enough power to expel air over long distances, the building's designers added

2 features to assist in the process.

- 1) An auxiliary Lint Trap box is usually mounted in the laundry area.
- 2) An auxiliary Exhaust Fan Motor is installed to provide additional support.

*To work efficiently and prevent fire hazards, all lint traps must be kept free of lint accumulation. As a rule, it is suggested to clean the auxiliary lint trap after every three loads.*



Every 2 years the dryer & duct system should be cleaned as well to prevent high accumulations of lint residue. At the same time the exhaust fan motor can be removed, cleaned and lubricated. All this, aside from the removal of fire hazardous material, will contribute to the longevity of your appliances, prevent costly repairs and save a substantial amount of electricity cost.

### ***What happens when you don't clean out the lint trap?***

1. It can cause the dryer to heat to a higher temperature therefore making it work harder which can cause low efficiency.
2. It can be a fire hazard.

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



Nadlan-Harris Property Management Inc. is happy to announce a recent addition to our portfolio.

We now proudly manage The Dynasty Complex located at 20, 30, 40 Harding Blvd. Richmond Hill, Ontario.



Condominium | Residential | Commercial | Rental



**Nadlan-Harris**  
Property Management Inc.

An AGMO 2000 Company



**We are a team of dedicated experts, specializing in professional property management of:**

- High-Rise/Low-Rise Condominiums
- Residential/Commercial/Industrial
- Town Home Condominiums
- New Condominium Development Consulting
- Customized Community Websites
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