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2023 Fall Newsletter

COMPANY NEWS

*We encourage all residents to log into your community website and use the fantastic features. It is a great way 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 better communication, increase efficiency and allow residents an opportunity to provide their valued feedback. We look forward to connecting with you.*

MESSAGE FROM THE PRESIDENT

Dear Board of Directors,

That first day of fall is always one of the best of the year, when the temperature finally drops from the stifling heat, and the air becomes crisp.

We're sure you're looking forward to the return of the sweater weather as much as we are.

Life now is finally returning to normal! We would like to thank you all for your support and understanding through the various stages of this COVID-19 pandemic.

Our condo boards and managers have been



working tirelessly to ensure the health and safety of their residents and service providers.

Please take the time to read through our fall issue and enjoy the articles we have chosen for you.

Happy Fall!

Sincerely,

Liron Daniels, President

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



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In This Issue:

- **CONDOMINIUM COMMUNITY**
- **CONDOMINIUM MANAGERS AND MANAGEMENT PROVIDER BUSINESSES**
- **LTB ANNOUNCE FORM CHANGES TO SPEED UP “FAILING” PROCESS**
- **6 CONDO FIRE SAFETY BEST PRACTICES**
- **FAN COIL SYSTEM MOULD**
- **PLASTIC BAG BAN IMPACTS TRASH CHUTES**
- **ONTARIO ANNOUNCES 2024 RENT INCREASE GUIDELINE**
- **NADLAN-HARRIS TEAM SEMINAR HIGHLIGHTS**

CONDOMINIUM COMMUNITY¹

The Condominium Act, 1998, sets out how condominium corporations are created, owned and governed, and protects the rights of every condominium owner in Ontario. Additionally, every owner is required to comply with the condominium corporation’s governing documents, which include the declaration, by-laws



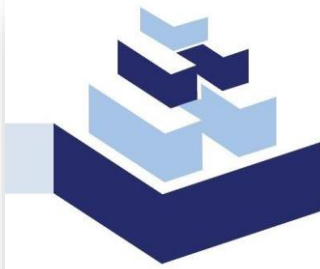
and rules. It is in the owner’s best interests to familiarize themselves with these documents since they are in place to protect the condominium community.

A condominium owner owns their individual unit and collectively shares in the ownership and expenses of the common elements. Some of those common elements – lobbies, parking garages and elevators – are typically used by all owners. Other common elements, such as the balcony, are typically intended for use by the individual owner only. Every condominium corporation will

uniquely determine its common elements and every owner should check their condominium’s declaration to make sure they understand what is a

common element in their building.

¹ <https://cmrao.ca/condo-owners/condominium-community>



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When you join a condominium community, you are entrusted with certain rights and obligations. Every condominium owner, for example, can seek election to the condominium board and can vote at owners' meetings.

At the same time, each owner is required to pay for their share of the common expenses. Owners generally have to maintain their own unit, including repairing after normal wear and tear. For a better understanding of an owner's rights and obligations, please review the [Buyer's Guide by the Condominium Authority of Ontario](#).

A condominium's board of directors is elected by the owners and is responsible for managing the affairs of the condominium corporation. The condominium's board of directors is responsible for overseeing all significant decisions related to the condominium. Owners can expect every director of the corporation to exercise their powers and duties honestly and in good *faith and to exercise the care, diligence and skill that a reasonably prudent person would exercise in similar circumstances*.

CONDOMINIUM MANAGERS AND MANAGEMENT PROVIDER BUSINESSES²

The condominium's board of directors is responsible for making decisions about the condominium corporation on behalf of the owners, including whether to hire a condominium manager or condominium management provider business to help oversee the corporation's affairs.

Although condominium managers interact with many individuals in carrying out their duties – from owners, to board members, to staff and contractors – they report to and take direction from their client, the



condominium corporation, through its board of directors. The Government of Ontario introduced the Condominium Management Services Act, 2015 (CMSA), legislation that further safeguards condominium communities and protects condominium consumers. As set out in the CMSA, individuals and businesses providing condominium management services must have a licence from the CMRAO. The CMSA also sets out rules that condominium managers and condominium management provider businesses must follow.

The Code of Ethics regulation establishes the general obligations of condominium managers and condominium management provider businesses. Promoting professionalism, reliability and quality of service,

² <https://cmrao.ca/condo-owners/condominium-managersand-management-provider-businesses/>



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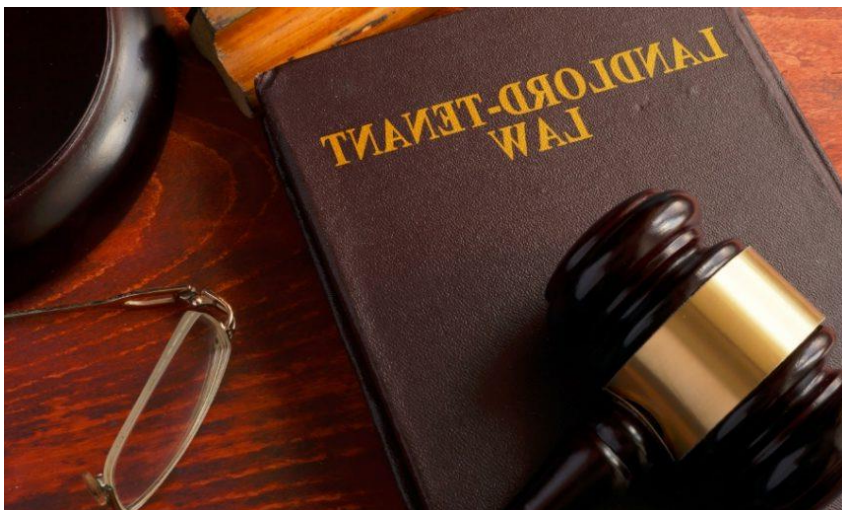
the Code requires that condominium managers and provider businesses always protect the interests of the condominium corporation.

Additionally, the CMRAO has produced a [competency profile](#), which defines the condominium management profession in Ontario and details the minimum expectations of an individual who holds a General Licence with the CMRAO.

A condominium manager's responsibilities typically include:

- Collecting common expenses
- Maintaining records for the condominium corporation
- Managing the maintenance and repair of the condominium
- Hiring service providers and overseeing their work
- Preparing draft annual budgets and monitoring the reserve fund
- Organizing board meetings and owners' meetings
- Responding to owner inquiries and complaints

LTB Announces Form Changes to Speed up "Failing" Process³

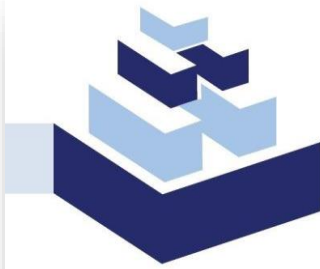


Ontario's Landlord and Tenant Board (LTB) announced it has made some key form changes in an effort to improve the landlord-tenant conflict resolution process, which has been long deemed [sluggish and unsatisfactory](#).

Specifically, it has replaced the Advance Resolution Request (ARR) form with the following two new forms:

1. **Request to Withdraw an Application** – Effective September 30th, 2023, this form can be used by applicants seeking to withdraw their applications.
2. **Request for a Discontinuance Order Without a Hearing** – Where the tenant has paid in full, including all arrears and the application fee, applicants can use this form to request their application be discontinued. An L1/L9 update sheet will no longer be required in support of a request for a discontinuance order. Instead, the applicant will now make a declaration and complete a draft order for the

³ <https://www.reminetwork.com/articles/ltb-announces-form-changes-to-speed-up-process/>



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Board to review for issuance.

Moving forward, the memo states that parties seeking a consent order under section 206 should upload the Payment Agreement Form as a document type in the portal; there is no longer a need to also use the ARR form. The LTB said it will continue to accept the current ARR forms until September 30, 2023, after which, any ARR forms submitted will be returned and the applicant will be directed to complete one of the two forms outlined above.

“Overall, I think these are improvements for the landlord that will lead to faster processing of such matters,” commented [Kristin A. Ley, Partner, Cohen Highley LLP Lawyers](#). “There is a little more work involved in the case of a discontinuance, but my hope is that by asking a party to submit the draft order, faster processing times will be achieved. At the same time, the Board has removed the need to submit an L1/L9 update with the request, so there may be a balancing out of the work involved.”

Ley also pointed out that the ability to submit the Payment Agreement Form on its own will benefit landlords in that it will reduce time spent preparing and submitting the former ARR form.

Other changes implemented by the LTB include updates to the Issues a Tenant Intends to Raise at a Rent Arrears Hearing form, which now requires the inclusion of a L10 application. Additionally, a new Videoconference User Feedback Survey has been added for proceedings held on Zoom. The survey, available in French and English, asks hearing participants for their feedback related to their technical experience using Zoom, appearing as a pop-up message linked to a Tribunals Ontario webpage. All feedback received is anonymous, and the LTB anticipates it will lead to “valuable insight and help improve the videoconference experience for those who come before our tribunal.”



6 Condo Fire Safety Best Practices⁴



Fire danger is something that condominium communities across North America all face. A fire can spread quickly, doubling in size or raging out of control in 30 seconds or less. And while some factors, like dry landscaping and unattended flames, can increase the risk of fires, education about fire safety is the best method of prevention. Understanding

fire safety best practices can enhance community living and help residents have fun more comfortably.

Here are six fire prevention tips condo

community leaders should know to promote safety in their neighbourhoods or condo buildings.

1. Educate residents about fire safety.

One of the most important things you can do to prevent fires in your community is to [share the basics of fire safety](#) with community members. Let residents know how little changes can make a big difference in protecting the community against fires. [Home fire safety](#) tips can include:

- Installing a functioning smoke alarm on every level of your home.*
- Testing smoke alarms monthly to ensure they're in working order.*
- Establishing a fire escape plan with your family.*
- Keeping a fire extinguisher in your home and knowing how to use it.*
- Using extension cords and electrical equipment only as directed.*

Share this information in your community newsletter, send email reminders, and talk to fellow board members about offering a fire safety class or providing resources to educate residents on these crucial steps. You can find free fire prevention materials online from your local government website or the [National Fire Protection Association](#) (NFPA).

2. Get to know your local fire department.

As a board member, it's a good idea to introduce yourself to the local fire department and get

⁴ <https://www.wilsonblanchard.com/blog/6-condo-fire-safety-best-practices/>



to know the fire marshal and leadership team. Expanding your network of first responders allows you to:

- *Connect with influential community members*
- *Know who to contact for inspections*
- *Ensure your community buildings are up to code*

If you establish a relationship with your local fire department, they may also be willing to help with fire safety education and share fire prevention tips.

3. Service fire and carbon monoxide alarms.

Smoke detectors, [fire alarms](#), and carbon monoxide detectors in homes and shared community spaces should be serviced regularly to maintain effectiveness. While your governing documents may include a service schedule, monthly or quarterly checks of the community's alarms with an approved contractor can confirm that all systems work correctly. Most local regulations require periodic inspections of all fire safety devices, which your local fire department may be able to conduct.

Between those inspections, it's helpful to send reminders to residents to check the smoke alarms in their homes each month. Follow all manufacturer instructions on testing at-home smoke alarms and carbon monoxide detectors.

4. Maintain community landscaping.

To prevent fires, keep all community landscaping clean and maintained. Dry vegetation is easily combustible. Some common-sense best practices include making sure trees, shrubs, plants, and flowers are neatly trimmed and well-watered. Other fire-safe tips to consider for your community landscaping include:

- *Plant trees and shrubs away from buildings. Keep vegetation approximately 5 to 10 feet from structures to keep a fire from spreading.*
- *Add fire-wise plants. Fire-wise plants contain more moisture and fewer volatile oils and flammable chemicals, providing less fuel for a fire.*
- *Maintain a regular irrigation schedule. In accordance with governing documents and local water restrictions, irrigate lawns and gardens to keep them healthy and thriving.*
- *Replace wooden structures with non-flammable materials. Architectural standards vary by community, but stone and concrete are good non-flammable options for wood.*

5. Conduct annual fire drills.

The board of directors should conduct annual fire drills so residents stay prepared and understand the fire safety protocol. By conducting fire drills, you are:

- *Reminding residents what the fire alarm sounds like.*
- *Helping new residents learn where to go and what to do during a fire.*
- *Letting residents know the physical requirement to get out of the building.*

If somebody lives on a higher floor or has limited mobility, a fire drill will help them recognize the physical effort it takes to exit the structure and what they may need to make that process

easier in an emergency. You may consider talking to your community's insurance provider for fire drill



processes specific to your community.

6. Regulate the use of fire hazards.

Regulating fire hazards or dangerous materials that could increase the risk of a fire can go a long way in preventing one. For example, the board could ban grills on balconies (which may also be prohibited by city by-laws) or within a certain distance of homes and other structures. You can also regulate portable fireplaces or other mobile fire devices in homes or community areas to reduce the chance of materials catching fire.

If your governing documents don't already have fire hazard restrictions in place, your board might consider amending the rules. Review the governing documents with your [condo lawyer](#) for guidance on making changes.

Wildfire Safety Tips for Your Community

While all communities can benefit from fire safety best practices, some communities are located in areas that face extreme wildfire danger. These are areas where people may be forced to leave their homes because of a wildfire—an uncontrolled fire that occurs in forests, woodlands, grasslands, or anywhere with dry, combustible vegetation to fuel the flames. Read our article, "[How to Prepare Your Community for a Wildfire](#)," for tips on keeping residents safe and prepared.

FAN COIL SYSTEM MOULD⁵



Black spots on a wet towel not properly hung to dry, or on a piece of cheese left in the fridge too long, are visible signs of mould. Both are easily addressed by throwing out the item and replacing it. Black spots in the corners of a shower, also mould, can usually be addressed with surface cleaning.

Mould growing inside the walls of your home is another matter. It can grow unseen in heating, cooling and ventilation equipment, and be in the air you breathe. Water damage can cause excessive mould growth if not properly repaired. Relatively minor symptoms of repeated exposure to mould include chronic cough, congestion, sinus infections, headaches and irritated eyes. More serious health problems include asthma. There is no easy way to see hidden mould. It may reside in the fan coil that cools your home,

in the fan coil unit or walls next to it. These dark and warm spaces, possibly moist from condensation or leaks and particularly if poorly maintained for 20 or more years, are ideal breeding spaces

⁵ <https://tocondonews.com/archives/fan-coil-system-mould/>



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for mould that spreads with airflow.

Fan coils are a common element in about 40 percent of high-rise communities in Ontario. In the remaining 60 percent of communities, fan coil systems are owned by the unit. Many communities choose to handle fan coil maintenance and repair as common area maintenance regardless of ownership. A typical preventative maintenance program includes systems checked twice a year at which time filters are replaced. Damaged components or mould can be identified and addressed before serious problems arise.



PLASTIC BAG BAN IMPACTS TRASH CHUTES⁶



As stores stop providing plastic bags for carrying purchased items, condominium communities will need to adjust how they handle garbage.

Grocery shopping bags are the preferred choice for transporting waste to a building's garbage chute or to a dumpster. When these bags are no longer available, people are unlikely to purchase bags for this purpose. They may decide to throw unbagged garbage down the chute or transport it through hallways causing all kinds of problems.

Unbagged waste thrown down a garbage chute can build up along the walls of the chute, cause equipment problems, emit bad odours, and attract insects and rodents. There are increased fire and health risks. Transported through halls and in elevators, unbagged waste will create sanitation issues if not

⁶ <https://tocondonews.com/archives/plastic-bag-ban-impacts-trash-chutes/>



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controlled and require enhanced cleaning measures.

There will be a need for increased frequency of cleaning of waste systems and common areas, pest control, odour control and general cleaning. The easier solution, spraying a degreaser and deodorizer down a chute, can help to a limited extent. More extensive and manual cleaning by professional services will be needed.

With elimination of single-use plastics, planning for transport of waste from unit to waste bins should be on the radar of building management.

Ontario announces 2024 rent increase guideline⁷



The rent increase guideline will max out at 2.5 per cent for most of Ontario's sitting residential tenants in 2024. In announcing the threshold for next year, Steve Clark, the provincial Minister of Municipal Affairs and Housing, notes that it is well below the current 5.9 per cent average inflation rate.

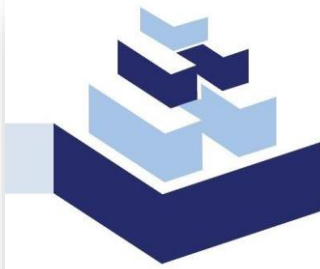
“Our government knows the cost of living continues to be a challenge for many Ontarians, including renters, which is why we are holding the rent increase guideline at 2.5 per cent,” he says. “This decision builds on the

historic tenant protections contained in our recent Helping Homebuyers, Protecting Tenants plan, and demonstrates our commitment to help tenants across the province.”

That [legislation](#): addresses the process for allowing tenants to re-occupy a unit following a renovation; imposes a deadline for prescribed tenants to occupy a unit following an eviction to accommodate the landlord's own use; and gives tenants the right to install [air conditioning](#) at their own cost.

The rent increase [guideline](#) for 2024 applies for sitting tenants of privately supplied residential rental units that came onto the market for occupancy before November 15, 2018. The starting point for all rents, and subsequent rent increases, is reset when a unit turns over to a new tenant.

⁷ <https://www.reminetwork.com/articles/ontario-announces-2024-rent-increase-guideline/>



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Nadlan-Harris Team Seminar

Some highlights from our Team Seminar. With Guest Speaker Carol Dirks and David Thiel from Fogler Rubinoff, Jeff Rodin, Barry Herberman, Chance Rodin and Ben Won from Condominium Insurance Solutions, and Karen Pattison From Soucore Inc.





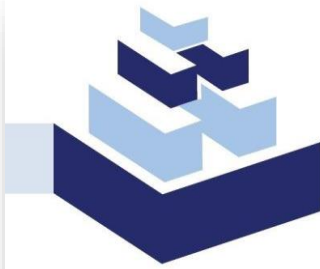
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Carol and David From Fogler Fubinoff





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The Nadlan-Harris Leaders





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The Nadlan-Harris Team!





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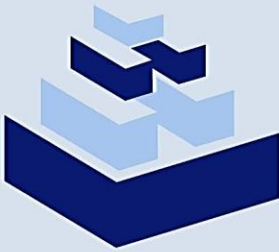
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- Customized Community Websites
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