



CONDOMINIUM BASICS FOR RESIDENTIAL AND COMMERCIAL OWNERS

CONDOMINIUM OWNERSHIP: WHAT IT MEANS FOR YOU

There is a great difference being a tenant with certain expectations of the landlord versus being a residential or commercial condominium Owner with certain responsibilities that you share with other Owners.

When you purchased your condominium you purchased a unit with boundaries defined in the Condominium Plan for your Corporation as well as a share in the common property that you hold with other Owners, or in exclusive use such as a balcony or fenced in yard. The common areas are maintained by the Corporation and the unit and exclusive use areas are maintained by you. The Corporation (Board of Directors) must approve any changes that you may wish to make to your unit or exclusive use area if these changes affect any of the structural or mechanical components of the building or the appearance of the building.

At the time you purchased your unit you entered into a contract between the unit Owners, the Corporation and the Board of Directors. This contract is known as the By-laws of the Corporation. The By-laws give you certain rights and obligations, which include:

- The right to use your Unit and the common property
- The rights to sell, lease, mortgage or give away your Unit
- The right to vote and run for office in the Corporation
- The obligation to abide by the Condominium Property Act and the By-laws
- The obligation to pay your share of the common expenses
- The obligation to respect the rights of other Owners.

The Corporation, through its elected representatives, the Board of Directors, has the duty to administer and maintain the common property and assets of the Corporation only. In addition, the Corporation must provide for future major expenditures required to repair or replace the common elements of the property. The Owners through the condominium contributions (fees) pay all funds used in the maintenance of the property. The amount you pay is determined by the unit factor for your unit. This unit factor was determined at the time the Corporation was created and is registered both on the Condominium Plan and the title for your Unit.

CONDOMINIUM FAQs

What do I own?

You own the interior of your unit as well as a 'share' of the common areas of the property. You are responsible for the repair and maintenance of the interior of your unit, except for such damage as is insured against by the Corporation, as well as any area to which you have been granted exclusive use (deck and parking stall)

What are condominium fees?

Condominium fees are contributions to the Condominium Corporation for maintenance repair and replacement of the common elements of the complex.

How is the amount of my condominium fee determined?

The By-laws direct the Board of Directors to determine the amount of funds required for the maintenance of the property, to meet the common expenses and maintain a replacement reserve fund. The Board reviews the requirements annually and provides a budget and schedule of unit factors and monthly condominium fees to all Owners prior to the end of the Condominium's fiscal year.

How do I pay my fees?

Fees are due on the first of each month. Fees can either be paid by monthly post-dated cheques or through automatic debiting from your bank. The fees are made payable to the Condominium and forwarded to the Management Company.

What if I don't pay my condominium fees?

Each Owner is obligated to pay his or her fees, in full, in advance of the first of every month to ensure the operation of the Condominium. If fees are not paid the Corporation may place a caveat on the title to the unit, accelerate the fees for the full year, or pursue any remedies as may be available to it by law. All costs to collect arrears on an account are charged back to the account.

Do I pay taxes?

Any and all property or other taxes assessed by any government are the responsibility of the unit Owner and as such are to be paid to that lawful authority by the unit Owner.

Do I need insurance?

It is the Owner's responsibility to insure the **contents** (furniture, clothing, etc.) of the unit for fire and other perils. Unit Owners should also carry liability insurance and ensure that their policy will cover any deductibles on the Corporation's policy that may be charged back to a unit Owner.

What insurance do I pay for with my condominium fees?

The Board of Directors must place and maintain all such insurance as required by the Act and the By-laws. This typically includes repair and replacement of the common property and units that are destroyed by fire and water damage.

May I make changes to my unit?

A unit Owner may decorate the inside of a unit with total freedom; the only limits which usually apply relate to structural changes and changes to the plumbing or electrical work. Any Owner that wishes to make changes that may affect the structure or common elements must obtain written approval from the Board. Applications for changes must be made in writing to the Board and detail the work to be done, materials to be used, and stamped engineering drawings.

What if I have a problem with my unit?

The first thing to remember is that you are an Owner, not a tenant. If something needs to be repaired in your unit, you are likely responsible for seeing that it is done. If the item forms part of the common elements, then it is

normally the responsibility of the Corporation. Any requests for repairs to the building are to be made, in writing, to the Board, care of the Management Company.

What if I decide to move and rent my unit?

In the event that you do not occupy your unit, you continue to be responsible for the actions of your tenant. Your tenant must comply with all the By-laws of the Corporation. You must also notify the Management Company that you are renting your unit and provide the name(s) and phone numbers of your tenants. You must also provide your new address. The Corporation does have the right to impose certain conditions, including damage deposits, on rented units.

What happens at the Annual General Meeting (AGM)?

The AGM is held to elect the Board of Directors for the Corporation as well as to review the accounts and business of the Corporation. A notice of the meeting is sent to all Owners at least seven days prior to the meeting. You should attend AGMs or arrange proxy to ensure the Condominium Corporation is being managed properly and circumspectly and to ensure there is quorum to conduct the meeting. Any member in good standing (fees up to date) is entitled to attend, vote and let their name stand for election to the Board.

What does the Board of Directors do?

The Board of Directors, that is elected to represent the Owners annually at the Annual General Meeting, must administer the Condominium in accordance with the By-laws. They must control, manage, lease, maintain, repair and administer the Common Property and all real property of the Corporation for the benefit of all the Owners and for the benefit of the entire Condominium complex/project.

What does the management company do?

The Management Company is hired by the Board to take care of the day-to-day administration of our Corporation. They collect the condominium fees, pay the bills, hire contractors, assist with all Annual General Meeting and Board meetings and act as a resource to the Board and Owners on matters dealing with the By-laws and the Condominium Property Act.

Are there rules that I have to abide by?

Every Condominium Corporation will have something in its By-laws that limit the way in which the unit Owners use their units and the common property. While some might view these restrictions as an invasion of privacy, most acknowledge that community living needs some guidelines.