Condominium Act 1998

Comments on FORMS

Denise Lash (Lash Condo Law)

&

David S. Crawford (Director MTCC 573)

October 2019
In the next few weeks, the Condominium Authority of Ontario will be taking over responsibility for 19 Forms required under the Condominium Act (all the main Forms, except those connected to liens.)

These can be put into four groups:

A. MEETING FORMS
   i. Preliminary Notice of Meeting of Owners
   ii. Notice of Meeting of Owners
   iii. Notice of Meeting of Owners under Section 34 (5)
   iv. Submission to Include Material in the Notice of Meeting of Owners
   v. Proxy Form

B. STATUS CERTIFICATES and INFORMATION CERTIFICATES
   i. Status Certificates
   ii. Information Certificate
   iii. Information Certificate Update
   iv. New Owner Information Certificate
   v. Notice of Online Posting of Information Certificate
   vi. Status certificate in amalgamation

C. RECORDS
   i. Request for Records
   ii. Waiver by Requester of Records
   iii. Board's Response to Request for Records

D. OTHER FORMS
   i. Agreement to Receive Notices Electronically
   ii. Notice Relating to Record of Owners
   iii. Notice of future funding of the Reserve Fund
   iv. Summary of Lease or Renewal (Clause 83 (1))
   v. Notice relating to record of mortgagees

In 2018 we offered comments on the Condominium Act Forms to the Ministry of Government and Consumer Services on behalf of the Canadian Chapter of the Community Associations Institute. Some changes were made, and we have noticed a few additional points. We have, slightly, revised these comments based on subsequent experience.
General comments that apply to all Forms.

1. It is important to remember that most Forms are used (and some are completed) by owners – who have limited understanding of the context. The questions asked must be clear so that the answers are correct, and the information provided on all Forms must be easily understood by their audience.

2. It is strongly suggested that the Forms be numbered (Condo 1 – Condo 19) so that they can easily be identified.

3. Either put ‘instructions” on how to complete a Form on a separate page or make it possible to delete/hide these instructions when distributing a Form.

4. Allow any section of a Form that does not apply to be deleted – e.g. A Notice of Meeting Form should not have information on Removal of Directors unless that is on the agenda.

5. Allow for some explanatory text as appropriate. e.g. the appointment of a (new) auditor is more significant that the re-appointment of an existing auditor.

6. Sometimes it is necessary to add ‘context”. E.g. the “Number of leased Units” means little without knowing how many Units there are.

7. Allow for additional information to be added. e.g. the Rental of Unit Form should allow a corporation that has specific lease rules to add them. (e.g. “At MTCC 999 all leases must be in writing and must be for not less than 12 months.”) Another example would be to note that a candidate’s ‘Statement” can be attached to his/her Disclosure Form when sending out the AGM package.

8. If a Form MUST be used this should be noted on it. If a Form is optional, this too should be noted on the Form itself.

9. Before they are finally approved, all Forms need to be tested so that they are clear on a screen AND when they are printed out.

10. Before any Form revisions are released, they must be tested – ideally by a representative group of users (both owners and condominium professionals).

11. On the pdf of almost all the existing Forms the Security “permissions” are set very high. One cannot even create a ‘package’ with, for example, a Proxy Form and a covering memo. None of the older Forms had ANY security restrictions, the new ones have virtually every possible one!

12. On most Forms the date format is set as yyyy/mm/dd. The CAO uses the more common dd/mm/yyyy format. It is suggested the date format be standardised. Ideally, for meeting notices, one should be able to add the day of the week and the name of the month, so that owners will know the meeting is on, for example, ‘Thursday 15th November’ 2019.
A. MEETING FORMS

PRELIMINARY NOTICE OF MEETING Form

1. It would make sense to put a “summary box” like the example below at the top of the Form – owners are busy and the information needs to be presented in a clear and concise way. It should not be necessary to attach a separate letter explaining the Form!

<table>
<thead>
<tr>
<th>Date</th>
<th>Thursday 28th June 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>Time</td>
<td>7pm (registration starts at 6.45pm)</td>
</tr>
<tr>
<td>Location</td>
<td>2nd floor Lounge, 135 George St South</td>
</tr>
<tr>
<td>Type of meeting</td>
<td>Annual General Meeting, (37th)</td>
</tr>
<tr>
<td>Election</td>
<td>One position: “owner-occupied director”</td>
</tr>
<tr>
<td>Auditor</td>
<td>Motion to re-appoint Furlong &amp; Co LLP</td>
</tr>
</tbody>
</table>

“Type of meeting” would be:

- Annual General meeting
- Special General meeting called by Board
- Special General Meeting called due to owner requisition
- Other (Leave space to explain.)

2. On the Form the Purpose of the meeting should be Q 2 and current Q 2 should become Q 3.

3. Q 2 (we suggest should be Q 3) reads:

   2. You may provide information to the board in response to this notice in the following ways:
      a. By delivering the information to the address for service of
         the corporation:
         - condominium management provider or the condominium manager:
         - any other person responsible for the management of the property:
      b. By delivering the information using an electronic method of communication:
         - Yes:
           - The electronic method of communication is:
           - No:
         Instruction for person filling out the form: If the board has approved an electronic method for receiving requests for records, you must provide an electronic method of communication here.
      c. By delivering information in an additional way:
         - Yes:
           - The additional way to deliver information is:
           - No:

It should be clear that you check a or b or c.

4. Q 2b If a Corporation accepts e-mail requests, the Form should note the email address. (Send to: joe.smith@condo.ca)
5. Q 3 (which we suggest should be Q 2) needs to be reorganised. Meetings called to remove and replace Directors probably need a SEPARATE FORM or, at least, a separate SECTION.

6. Auditors are always appointed at an AGM but this is usually a RE-APPOINTMENT proposed by the Board. Suggest a new section to replace the following:

“This is a meeting to remove or appoint an auditor
This meeting will involve the removal or appointment of an auditor for the corporation. If you intend to propose a candidate for auditor, you must notify the board in writing of the auditor’s name and business address no later than: (yyyy/mm/dd):”

Saying that this is a meeting to “remove or appoint an auditor” without explanation will cause owner concern!

Possibly re-word:

a. “At this meeting the board will be proposing the re-appointment of X & Y as the Corporation’s auditor.
   OR
b. At this meeting the board will be proposing the appointment of A & B as the Corporation’s auditor. (Leave space to explain why.)

If you intend to propose a candidate for auditor, you must notify the board in writing of the auditor’s name and business address no later than: (yyyy/mm/dd)” (Possibly this date should be earlier than other communications to allow a Board enough time to do due diligence?)

7. It would be clearer for owners if any Board vacancies are put into context:

List of current Directors and their terms:

A. Joe Smith 2015-2018
B. Maureen Holmes 2017-2020
C. Fred Blogs 2017-2020
   etc

Director C is the Director elected only by resident owners.

At this meeting there will be an election to replace Director Y and Director Z. Under the by-laws of the Corporation they may/may not run for re-election.
8. The Form needs to be re-ordered and made more consistent. For example, on page 1 we have:

<table>
<thead>
<tr>
<th>Question</th>
<th>Option</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>b. This is a meeting requisitioned by owners under s. 46 of the Condominium Act, 1998.</td>
<td>Yes</td>
<td>✔</td>
</tr>
<tr>
<td>c. This meeting will include discussion of proposed changes to the declaration, description, by-laws, rules, or agreements.</td>
<td>Yes</td>
<td>✗</td>
</tr>
</tbody>
</table>

Why are the following sections (on page 2) not in same part of Form (d, e and f??) with similarly clear Yes/No options.

<table>
<thead>
<tr>
<th>Question</th>
<th>Option</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>✔ This is a meeting to remove or appoint an auditor</td>
<td></td>
<td></td>
</tr>
<tr>
<td>✗ This meeting will involve the removal or appointment of an auditor for the corporation. If you intend to propose a candidate for auditor, you must notify the board in writing of the auditor’s name and business address no later than: (yyyy/mm/dd) 2018/06/08</td>
<td></td>
<td></td>
</tr>
<tr>
<td>✗ You may deliver your notice to the addresses or in the manner specified above (see item 2 of this form).</td>
<td></td>
<td></td>
</tr>
<tr>
<td>✔ This is a meeting for the purpose of considering an addition, alteration or improvement to the common elements, a change in the assets of the corporation, or a change in a service of the corporation</td>
<td></td>
<td></td>
</tr>
<tr>
<td>✔ This is a meeting relating to amalgamation under s. 120 of the Condominium Act, 1998</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Ideally, if the answer to any of these questions is “NO” that section of the Form should be able to be deleted and not sent to owners.

9. Q 4 is connected to Q 2 (which we suggest becomes Q 3). These could be combined.

SEE ALSO COMMENTS ON NOTICE OF MEETING FORM.

NOTICE OF MEETING FORM  Information about an upcoming meeting of owners.

1. As with the Preliminary Notice of Meeting Form it may be useful to add a “quick information” box to top of Form. Something like:

<table>
<thead>
<tr>
<th>Field</th>
<th>Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date</td>
<td>Thursday 28th June 2018</td>
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</tr>
</tbody>
</table>

2. Q 4. Why not say “The quorum needed for this meeting is the owners of ____ out of ___ VOTING units in the corporation.”? This would mean mention of parking or storage units could be eliminated.
3. Q 5 and Q 6. If the answer is NO then these sections should ‘vanish’ from distributed Form.

4. Q 7. It is suggested that a Proxy Form should always be sent out with the Notice of Meeting Form. If proxies continue to exist, it is unrealistic to expect owners to go to the CAO website to find them.

5. Q 8. Suggest that a ‘regular election’ should be separated from an election required due to an owner petition or s 46.

6. The Form reads: “The maximum number of positions on the board that are or could be the subject of an election at the meeting...” Presumably the number of vacancies could increase between the time the final notice is distributed and the meeting, (e.g. The death or resignation of a Director). It may be best to rephrase as “The number of positions on the board that are expected to be the subject of an election at the meeting...” See also Q 8D

7. Q 8B Candidates. It is not impossible for there to be an election for both a ‘regular’ director and an ‘owner-occupier director’ at same meeting. A person could decide to be a candidate in both elections. The Form does not seem to allow for this. As noted above, it would be useful to list ALL current Directors with their terms so that a candidate can be evaluated ‘in context’.

8. Q 8C Auditors are always appointed or re-appointed at an AGM. It will alarm owners to see a regular re-appointment and a removal and new appointment in same place!

   8.C [ ] This is a meeting to remove or appoint an auditor
   This meeting will involve the removal or appointment of an auditor for the corporation.
   An auditor is proposed to be removed as auditor for the corporation
   [ ] Yes  [ ] No
   The name of the auditor proposed to be removed and the reasons for removal:

   Maybe re-phrase as:

   - At the meeting the Board will propose the re-appointment of xxxxx as the corporation’s auditors. OR
   - At the meeting the Board will propose that zzzzz (details below) be appointed as the corporation’s auditors. AND/OR
   - At the meeting there will be a motion (details below) to remove the corporation’s current auditors and replace them with qqqqqqqq (details below).
9. Q 8D We suggest this should be Q 8B and if it is NOT a requisition meeting this question should not appear on the distributed Form.

10. Q 8E, 8F and 8G We suggest that these may be better as separate questions and that they only appear on the distributed Form if the answers are ‘YES’.

10. Q 8E. Some changes being proposed may be to REMOVE a service or facility. (e.g. Closing a swimming pool.) If a change in a service being provided is proposed it should be made clear that the cost (or saving) is an ANNUAL figure. (Or, for example, a one-time charge to close a pool and an ongoing annual saving that will result.) If one is proposing to add a service (e.g. cable TV) the cost should be the annual cost (or annual/monthly cost per Unit?) not the total cost of a multi-year contract.

11. Q 10. Should be a YES/NO question and if answer is “NO” it should not appear on distributed version.

See also comments on Pre-notice Form (e.g. full Board being listed.)

Notice of Meeting of Owners under s. 34 (5) of the Condominium Act

1. See general comments on Forms and specific comments on other Meeting Forms.

2. Surely the owner calling the meeting needs to confirm that they ARE an owner and of which Unit.

3. Does Form need a signature? We suggest it should.

Submission to include material Form

1. The Form should surely start by stating: “I am the owner of Unit XXXX in Corporation YYY”

2. The Form asks for the “Address of the owner who is submitting the Form”. Is this their official “Address for Service”? It probably should be.
3. The Form states: “Although you can request that material be included in the notice be included in the notice of meeting, the board is not obligated to include this material unless, among other requirements, the owners of at least 15% of the units request that the material be included. See in particular s. 12.8(1)(a) of O. Reg. 48/01 for more detail. The reference to “units” here does not include units that are intended for parking, storage purposes, or for the purpose of providing space for services or facilities or mechanical installations, unless all of the units in the corporation are those kinds of units.”

This is very unclear, maybe reword as.

“Although an individual owner can request that material be included in the notice of meeting, the board is not obligated to include this material UNLESS, among other requirements, the owners of at least 15% of the Units in the corporation request that the material be included. See in particular s. 12.8(1)(a) of O. Reg. 48/01 for more detail.
The reference to “units” here does not include units that are intended for parking, storage purposes, or for the purpose of providing space for services or facilities or mechanical installations, unless all of the units in the corporation are those kinds of units.

This request is being made by XX Unit Owners which is greater than 15% of all owners: YES/NO”

4. In the list of owners signing a “UNIT OWNED” column needs to be added.

_________________________________________________________________________________________

PROXY FORM

See separate submission.
B. STATUS CERTIFICATES
and INFORMATION CERTIFICATES

I. Status Certificates
II. Information Certificate
III. Information Certificate Update
IV. New Owner Information Certificate *(No comments)*
V. Notice of Online Posting of Information Certificate *(No comments)*
vi Status certificate in amalgamation - Not yet examined.

In our opinion (though it has other uses) the Status Certificate should be viewed as the initial Periodic Information Certificate that is sent to a new owner: we note that it has two main sections.

A. **Information on the Corporation.**
B. **Information on a specific Unit.**

Based on this concept, we have made a separate submission on changes we think desirable for the Status Certificate and the Periodic Information Certificate. It is attached at the end of this document.

We suggest that any revisions to Forms iv - vi should occur only after Forms i - iii have been finalised.
C. RECORDS

I. Request for Records
II. Waiver by Requester of Records
III. Board’s Response to Request for Records

Request for Records

1. Q. 1 It should be noted that one should complete this Form EITHER as a Requester OR an Agent. (“Complete EITHER Section A OR Section B”). In addition, how does one determine a “Purchaser”? At what point does someone move from ‘a citizen’ to a “purchaser”? 

2. Q 5. Why must the Address for Service be in Ontario? We realise that this is noted in the “Definitions” of Ont Reg 180/17 but there are many out-of-Provence or out-of-country owners. It is unrealistic to expect all owners to have Ontario addresses.

3. Many corporations have websites with copies of Declaration, By-Laws, Rules etc. An adequate response should be: “Look at website www.xxx.ca”.

4. Request for core records:

Form says:

“If a corporation keeps a record in electronic form, the board must, by resolution, determine the method of electronic communication it will use to deliver records to requesters. See s. 13.3 (5) of Ontario Regulation 48/01 under the Condominium Act, 1998. You may wish to contact the corporation to determine whether there is a method of electronic communication determined by resolution of the board and, if so, what that method is (e.g., email). The corporation must also indicate this method in the most recent Periodic Information Certificate or Information Certificate Update. See ss. 11.1(1)(c) and 11.2(a)(vi) of Ontario Regulation 48/01 under the Condominium Act, 1998.”

Surely it would be clearer to say:

“If a corporation keeps a record in electronic form, the board must have, by resolution, determined the method of electronic communication it will use to deliver records to requesters. The corporation must indicate this method in the most recent Periodic Information Certificate or Information Certificate Update. You may also contact the
corporation to determine whether the Board has determined a method of electronic communication and, if so, what that method is (e.g., email to records@mtcc123.ca)

Form says:

“If you selected “electronic” format: If the corporation does not keep the record in electronic form and you wish to have access to the record in paper form instead, then please select from one of the following options:”

Surely clearer to say:

If you selected “electronic” format: If the corporation does not keep the record in electronic form you will be informed and given the option of having access to or a copy of the record in paper format.

5. It is suggested that one should be able to request SPECIFIC By-Laws, the Form seems to insist on requesting/receiving all of them.

6. Record of owners and mortgagees and Record of leases. It is VERY surprising that an owner or purchaser can obtain copies of these documents. They may contain information (names, rents etc) that the owner/tenant want to keep private. This appears to be in direct conflict with s55 (4) and (5) of the Act. If sections can be redacted under s 55 of the Act this should be stated clearly.

7. Most recent approved financial statements. Though giving access to most parts of the monthly financial statements is not controversial we are surprised the Board cannot withhold personal or confidential information, if any. (e.g. Receivables by Unit or a severance payment made to a staff member.) If sections can be redacted under s 55 of the Act this should be stated clearly.

8. Minutes of meetings held within the last 12 months. Though most Board minutes may be non-controversial there will certainly be items in them that disclose confidential information about other owners or employees. If sections can be redacted under s 55 of the Act this should be stated clearly.

9. In some cases, an owner may want VERY specific information “All mentions in Board minutes of Unit XXX”. It should be an option to request and provide only this.
Waiver by Requestor of Records. Agreement regarding access to records that waives certain rights the requester has to object to the corporation’s response

1. Add Requestor's UNIT #.

Board's Response to Request for Records

No comment, waiting to get i and ii finalised first.
OTHER FORMS

i. Agreement to Receive Notices Electronically
ii. Notice Relating to Record of Owners
iii. Summary of Lease or Renewal (Clause 83 (1) (b) )

Agreement to Receive Notices Electronically

1. This Form is, apparently, NOT mandatory. (Any forms which are not mandatory and/or can be edited should be marked as such.)

2. There should be NO need to have this Form signed by ANY representatives of the Corporation nor should the Corporation’s SEAL be required. If an owner wants to get all documents by e-mail (and the Corporation offers that service) the only thing needed should be the owner’s Name, Unit and signature!

3. The UNIT NUMBER should be on the Form!

4. If the Corporation only uses email, the Fax section should be deleted.

5. As Corporations want to encourage e-mail they should be able to add comments like “Save yourself some $$: reduce our mailing costs”

6. The Form should include a statement. “If my e-mail address(es) change I will inform the Corporation.”

Notice Relating to RECORD OF OWNERS

Information about a new owner that must be provided to the corporation.

1. In most cases a Corporation will send out this Form and ought to be able to edit this Form and then use EITHER Part A or Part B as appropriate and add information such as to where the completed Form should be sent!
2. The name of the CORPORATION needs to be on Form! A Property Manager will get many of these and will need to know which of their corporations it refers to!

3. If the Form cannot be edited for each corporation (which would be very desirable), the “My corporation is a common elements corporation” needs to be explained.

4. To simplify the filing the completed Forms at a Property Management Company, it would be useful to have a large box “For official use only” at top of Form with Corporation # and Unit # boxes.

5. Name of owner: Allow for multiple owners and corporate owners.

6. Parking spaces (and storage areas). In many Corporations these are exclusive use common elements and ‘go with’ a Unit. This could be clarified on the Form. (Unit XXX has exclusive use of Parking Space YY?)

7. A 1 to A 4 are (presumably) choices and one only need use one of them. This should be clarified. BUT, even if one selects A 2, it is essential to include UNIT NUMBER on the Form, most Corporations will not know Unit Property Identification Numbers!

8. **Address for Service.** Though it is stated in Ont Reg 180/17, why must the Address for Service be in Ontario? (There are many foreign or out-of-province owners) and in any case, it should be noted somewhere what ‘address for service’ means. An owner will normally be the person completing this Form and this is not a normal phrase! **It is strongly suggested that the UNIT address should be the default “Address for Service.”**

9. This would be a good place to add a version of the “E-Mail is OK for everything” Form so that a new owner can do everything in one place and on one Form.

10. Similarly, in Part B (where parts 1-3 are presumably choices.)

**11. The Form should state somewhere “IF ANY OF THE OWNER INFORMATION ON THIS FORM CHANGES IT IS THE RESPONSIBILITY OF THE OWNER TO SUBMIT AN UPDATED VERSION OF THIS FORM TO THE CORPORATION”**
SUMMARY OF LEASE OR RENEWAL

1. As with the “Owner Information’ Form above, we suspect most ‘renting owners’ will receive this Form from the Corporation so we hope that Corporations or Property Management Companies can do some ‘personalising’ and can do minor editing to suit their own ‘rules’. (For example, the Form used at MTCC 573 for many years notes that the Rules restrict leases to “at least 12 months”.)

2. Though some corporations may have, or allow, oral leases, at many others all leases must be in writing (under the Rules or By-Laws). If they are not accepted, Corporations should be able to remove any mention of ‘oral leases’.

3. If the Form cannot be edited, we suggest that it may be simpler to have one Form for common element corporations and another for all others. (Or more of the ‘vanishing sections’.)

4. Most Corporations have Rules or By-Laws saying clearly that the owner remains responsible for all common element fees etc. If so why does an owner need to tell the Corporation how much rent they are getting? This is the kind of information that most people will not be prepared to share. The Form currently used in many Corporations specifically reminds owners of their responsibility for paying the common expenses. Again, many corporations may want to add this notice to this Form. In cases of owner default the corporation can, of course, ‘seize’ the rent but ....

5. The Form should have a space for lessee’s email address

6. An owner should be able to refer a tenant to an electronic version of the Rules, By-Laws and Declaration.

7. Most owners will forget to report back each time a lease is renewed, the Form should clearly state:” IF ANY OF THE OWNER OR LESSEE INFORMATION ON THIS FORM CHANGES IT IS THE RESPONSIBILITY OF THE OWNER TO SUBMIT AN UPDATED VERSION OF THIS FORM TO THE CORPORATION”

8. The Form should surely give the owner’s contact information (address for service). (They really should be able to fill in only one Form!)
9. In many corporations there is a mixture of residential and commercial Units (which can sometimes be sub-divided) and there are often Parking Units and Storage Units. The Form needs to allow for explanations.

10. The Form should clearly state where to send it! (Presumably the Address for Service of the Corporation.). Ideally a Corporation could add this to a Form before distributing it.

**Notice of Future Funding of the Reserve Fund**

Not yet examined.

**Notice relating to Record of Mortgages**

1. The name and number of the condominium corporation should appear prominently at the top of the Form. A Property Management Company will be responsible for many Corporations.

2. It should be absolutely clear that a requester needs to complete either Part A or Part B. Ideally only the necessary Part will show on the Form.

3. In Part A it should be made clear that the requester needs to complete only one of Questions 1-4.

4. It would seem useful if the mortgagee were required to give the name of the Unit owner.

5. In both Parts A and B it needs to be made clear whose “Address for Service” (the requestor or the Unit) is required.

6. It should be clear that if you complete Part A (i.e. NOT a common elements corporation) you need to sign the Form. The current formatting implies that this is only required if you complete Part B. (Another reason to allow the the un-used Part to be deleted!)

7. It seems surprising that the Form does not need to be countersigned (or, at least, sent to) the Unit owner.

8. The most important part of the Form and its raison d’etre, immediately above the signature area, should be in bold and large print. Perhaps this should be moved to the top of the Form?

**Under the terms of the mortgage, the mortgagee identified in this form has the right to vote at a meeting of owners in place of the owner or to consent in writing in place of the owner.**
Condominium Act 1998

Comments on

Status Certificate

&

Periodic Information Certificate

Denise Lash (Lash Condo Law)

&

David S. Crawford (Director MTCC 573)

October 2019
<table>
<thead>
<tr>
<th>Description of Corporation</th>
<th>PIC</th>
<th>Status</th>
<th>CAO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Corporation’s Legal Name (Number)</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Corporation’s (unofficial) Name (if applicable)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Corporation’s Registration date</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Type of Corporation</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Corporation’s civic address (‘mailing address’ on Status)</td>
<td></td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Corporation’s Address for Service (and for Records)</td>
<td></td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Condo Management Company and/ or Manager information</td>
<td></td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Corporation’s E-mail or other address</td>
<td></td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Number of Units (and of voting Units)</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Number of leased Units</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Number of directors as laid down in corporation’s by-laws</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Names etc of all Directors/Officers</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Insurance information</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Has Corporation obtained all legally required insurance?</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Insurance deductibles and max that could be charged to owner</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Insurance under Section 39 (Director &amp; Officer)</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Insurance under Section 99 (Major Perils)</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Insurance under Section 102 (Liability)</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Insurance - other required?</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Is there a Standard Unit by-law or ?</td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Financial information</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Fiscal year start/end</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Date of last A.G.M.</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Budget for current year (Surplus/deficit/balanced)</td>
<td></td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Budget. Changes made in unit contributions since budget</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Budget. Any anticipated changes? Special Assessments</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Reserve Fund Study Information. (Date, Class etc)</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Reserve Fund. (Balance beginning of year, current balance)</td>
<td></td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Reserve Fund current annual contribution</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Reserve Fund expenditures in current year</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Reserve Fund. Plans, if any, under ss 94(8)</td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Legal information</th>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>Ontario New Homes Warranty Act – outstanding claims</td>
<td></td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Legal action currently underway</td>
<td></td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Legal action – outstanding judgements - details</td>
<td></td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Legal action and insurance cover</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Legal outstanding judgements</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Legal actions and insurance</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Legal action to amend declaration under s 109</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Legal action to appoint inspector under s 130</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Substantial changes to common elements. incl e-vehicles</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Info on actions under 122(1), 123(7), 124(3), 128(1 or 2) or expropriation</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Disclosure information from Directors</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Compliance information</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Other info required by by-laws</td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>
STATUS CERTIFICATES AND INFORMATION CERTIFICATES

• STATUS CERTIFICATES contain information on both the CORPORATION and a specific UNIT.
• INFORMATION CERTIFICATES (ICs) contain information only on the CORPORATION.
• ANNUAL RETURNS, required by the Condominium Authority of Ontario, contain information only on the CORPORATION.

General comments:

1. The first task should be to decide what information is necessary and then which Form(s) (Status, IC or CAO) it should be required on. Questions where updated information should be sent to owners and/or the CAO immediately should be identified (and should trigger an Updated IC or Notice of Change being generated and sent to owners and/or to CAO). Other changes could be communicated only with the next regular IC or Return.

2. For greater clarity, the information on the Status Certificate should be separated into two separate Sections: **Part A** “Information on the Corporation” and **Part B** “Information on Unit XXX.”

3. In general, documents, such as the Annual Certificate of Insurance or the Annual Budget, should be distributed to owners only once. (Currently these must be attached to all Information Certificates). If they have already been distributed to owners, it should be enough to state on an IS: “Distributed to owners on yyyy/mm/dd.” As Status Certificates are normally requested by (or for) potential purchasers or new owners, the appropriate documents always need to be attached to them.

4. The wording of all Forms should be carefully examined and edited to ensure that both questions and answers are clear and ‘negative questions’ should be avoided. Ideally, all appropriate questions would have a YES or NO answer and if, appropriate, there would be space to explain. For example:

   **Has the Corporation received a notice of intention to expropriate under the Expropriations Act?**

   ![Yes](Yes) ![No](No) (If YES give brief details.)

5. If information is required on more than one Form the question should be worded identically. (e.g. On the current Status and IC, the questions on the ‘property manager’ are quite different - and both are poorly phrased!)

6. Some current Forms require information to be submitted without context. For example, the Status and the PIC require number of leased units but do not ask for the total number of units: both should ask for the total number of Units **and** the number that are leased. Some information, such as the date of registration (asked for by CAO), is useful and many Corporations have ‘names’ that would be informative to list. It may also be more informative to give the ‘terms of office’ for Directors, rather than the date when they were elected/appointed.

7. Some additional suggestions were made by the Condominium Act Review Stage Two Solutions Report. ([https://files.ontario.ca/condo_act_stage_2_solutions_report_en.pdf](https://files.ontario.ca/condo_act_stage_2_solutions_report_en.pdf)). It has also been suggested that Status Certificates should include information about restrictions (pets, leasing etc) imposed by the Declaration or Rules – though, as the Declaration and Rules are always attached to a Status, this seems unnecessary.)
8. **Information on the Unit.** In addition to the information on the Unit already required on the current Status Certificate, a few additional items such as information on any “exclusive use, common elements” associated with that Unit are suggested. It is also suggested that there is a clear, standardized, statement noting that the Status has been issued without any inspection of the Unit.

9. Both Status Certificates and Information Certificates (and other required Forms) should be able to be edited during completion to delete questions that do not apply or to offer brief explanations. For example, a question about Number of Units and the information required in questions 27-32 of the current Status do not apply to common elements Corporations and should be able to be deleted if not appropriate.

10. The format of **DATES** should be standardised on all required Forms or Returns. Currently, some require dates to be in the format yyyy/mm/dd, others demand dd/mm/yyyy. In addition, it should be possible to add the day of the week, particularly on meeting forms. e.g. “The AGM of MTCC 123 will be held on Tuesday 15/12/2020.” Or even “Tuesday 15 December 2020”.

11. The current Status has sequentially numbered questions and it is suggested that this should be the norm on all appropriate Forms. Forms themselves used to be numbered (e.g. Condominium Act Form #x”), this seems a useful practice and should be reconsidered.

12. It is strongly suggested that before any revised Forms are made public, they be circulated to interested parties and possibly posted online for comments. The only way to see if a Form ‘works’ is to try to input real information onto it!

13. It should go without saying that the new CAO ‘form repository’ needs to be both robust and ‘fit for purpose’. The problems with the Government Forms site are well known and must not occur again.

**Though all current Condominium Act Forms need some editing and clarification, Status Certificates and Information Certificates are extremely important. Though these Forms are commonly prepared and examined by real estate or property management professionals and/or lawyers, they are also, or should also, be read and understood by ‘regular owners’ or potential purchasers with little or no experience. On all Forms, all the questions should be clear, and all the answers should be informative!**
STATUS CERTIFICATE

Part A. Information on the Corporation.

1. Corporation’s Legal Name assigned by the land registrar under ss27(3) of O.Reg 49/01

2. Registration Date of the declaration and description at the land registry office. This will show the age of the Corporation – something useful for potential purchasers.

3. Name, if any, of the Corporation.

4. Type of Corporation: (Standard/Phased/Vacant Land/Leasehold) (Would be better to have separate Forms for each type of Corporation or allow the Form’s author to delete unnecessary sections or have ‘check-boxes’?)

5. Civic/municipal address of the Corporation.

6. Address for Service (Mailing Address) of the Corporation.

7. Email Address for Service of the Corporation.

8. Total number of Units. (does not apply to common elements Corporations) Suggest that the Form should differentiate between residential, parking, storage and commercial Units

9. Total number of Voting Units. (does not apply to common elements Corporations)

10. Maximum number of Votes - for common elements Corporations only – (ss 42(8), 49(1) and 51(1) and (6) do not apply).

11. Number of Directors according to the Corporation’s by-laws. Suggested so user can see if a full Board exists.

12. Names and terms of office of all current Directors/Officers. Suggest use “term of office” rather than “date elected/appointed”

13. Name and Address of Service for any Licenced Condominium Management Company under contract with the Corporation, as well as of any Licenced Condominium Manager employed by the company who provides the services. OR

Name and Address for Service of any Licenced Condominium Manager (individual) under contract with Corporation.

14. Corporation’s Fiscal Year Start and End Dates.

15. Date of last Annual General Meeting.
16. Has the Corporation sent, for registration to the land registry office, a notice under ss 122(1) or 123(7) terminating the government of the property by the Condominium Act, 1998?

Yes □ No □

(If YES give brief details.)

17. Has the Corporation sold the property and complied with ss 124(3) of the Condominium Act, 1998?

Yes □ No □

(If YES give brief details.)

18. Has the Corporation received a notice of intention to expropriate under the Expropriations Act?

Yes □ No □

(If YES give brief details.)

19. Has the Corporation made (or received notice of) an application under ss 128(1) or any other legal action for an order under ss 128(2) of the Act?

Yes □ No □

(If YES give brief details.)

20. In the case of a leasehold Corporation only: Only include if appropriate and rephrase questions as YES/NO

· whether it has received written notice of an application described in subsection 173 (2) or any other legal action for an order described in subsection 173 (1) of the Condominium Act, 1998.

· whether it has received a written notice of intention not to renew all the leasehold interests in the units in the Corporation, as described in clause 174 (1) (b) of the Condominium Act, 1998.

· whether it has given a notice described in subsection 174 (6) of the Condominium Act, 1998 to the lessor

Budget

21. The budget of the Corporation for the current fiscal year is attached and is accurate; it may result in:

a surplus of $......... OR a deficit of $.............. OR a balanced budget ........

Add comments if desired.

As the budget is attached, why ask whether it will result in a surplus, deficit or be balanced? If a Board has approved a budget for the subsequent year it is suggested this should also be attached.

22. Since the date of the budget of the Corporation for the current fiscal year, the board has levied assessments against units to increase the contribution to the reserve fund or the Corporation’s operating fund or for any other purpose?

Yes □ No □

If YES, give details.

23. The Corporation has knowledge of circumstances that may result in an increase in the common expenses for the units in the current fiscal year?

Yes □ No □

If YES give details.
Reserve Fund

24. At the start of the Corporation’s current fiscal year the Corporation’s audited Reserve Fund statement dated yyyy/mm/dd shows a balance of $.................... (This will always be the audited figure from last AGM?)

25. As of ........................................ (specify a date that is no earlier than at the end of a month within 90 days of the date of this certificate) the Corporation’s unaudited reserve fund balance amounted to $..................................

26. The most recent reserve fund study conducted for the Corporation was a ...................................(specify the class of reserve fund study) dated.........................and prepared by ........................................ (name of person or company who conducted the reserve fund study). (Add explanation if no reserve fund study has been conducted.)

27. The next reserve fund study will be conducted before ........................................ (set out the date by which the next reserve fund study must be conducted as required by the regulations made under the Act).

OR

If no reserve fund study has been conducted, state: “A reserve fund study will be conducted before ......................... (set out the date by which the reserve fund study must be conducted as required by the regulations made under the Act)).

28. A notice has been sent to owners under subsection 94 (9) of the Condominium Act (1998)

Yes ☐ No ☐

If YES, include the following statements and a copy of the most recent notice with this certificate and mention it in the list of documents forming part of this certificate:

“The board has sent to the owners a notice dated ....................... containing a summary of the reserve fund study, a summary of the proposed plan for future funding of the reserve fund and a statement indicating the areas, if any, in which the proposed plan differs from the study. The proposed plan for future funding of the reserve fund has not been implemented because (give reason).”

OR

“The proposed plan for future funding has been implemented and the total contribution each year to the reserve fund is being made as set out in the Contribution Table included in the notice (if applicable add: except ......................................................” (set out why contributions are not being made in accordance with the Contribution Table and whether this will be addressed)].

If NO include the following paragraph:

“The balance of the reserve fund at the beginning of the current fiscal year was $ ....................... In accordance with the budget of the Corporation for the current fiscal year, the annual contribution to be made to the reserve fund in the current fiscal year is $ ........., and the anticipated expenditures to be made from the reserve fund in the current fiscal year will amount to $..........

29. There are plans to increase the reserve fund under a plan proposed by the board under subsection 94 (8) of the Condominium Act, 1998, for the future funding of the reserve fund.

Yes ☐ No ☐

(If YES give details.)

30. The board anticipates that the reserve fund will be adequate in the current fiscal year for the expected costs of major repair and replacement of the common elements and assets of the Corporation.
(If NO give details, including any proposed increase in the common expenses payable for the units or assessed against the units.)

**Insurance**

31. The Corporation has secured all policies of insurance that are required under the *Condominium Act, 1998*?

[ ] Yes  [ ] No  

[ ] Give details - possibly use the information (deductibles etc) currently required in Section 3 of a PIC.

**Legal Proceedings, Claims**

32. There are outstanding judgments against the Corporation?

[ ] Yes  [ ] No  

If YES give amount of judgment and brief particulars.

33. The Corporation is a party to any proceeding before a court of law, an arbitrator or an administrative tribunal.

[ ] Yes  [ ] No  

If YES give brief particulars, and the status of those proceedings

34. The Corporation has received a notice of or made an application under section 109 of the *Condominium Act, 1998* to the Superior Court of Justice for an order to amend the declaration and description, where the court has not made the order.

[ ] Yes  [ ] No  

If YES give brief particulars.

35. The Corporation has outstanding claim for payment out of the guarantee fund under the *Ontario New Home Warranties Plan Act*.

[ ] Yes  [ ] No  

If YES, give brief particulars and the status of any claims that have been made.

36. There is currently an order of the Superior Court of Justice in effect appointing an inspector under section 130 of the *Condominium Act, 1998* or an administrator under section 131 of the *Condominium Act, 1998*.

[ ] Yes  [ ] No  

If YES, include a copy of the order with this certificate and mention it in the list of documents forming part of this certificate.

**Leasing of Units** *(Should this specifically exclude leasing of parking or storage Units?)*

37. The Corporation has received Notice(s) under section 83 of the Condominium Act, 1998.

[ ] Yes  [ ] No  

If YES, add details (including, if appropriate, differentiating between residential and commercial Units).
It is strongly suggested that these details should be the number of Units leased on yyyy/mm/dd and not (as now on both Status and PIC) “during the fiscal year preceding the date of this status certificate”

Substantial changes to the common elements, assets or services

38. There are additions, alterations or improvements to the common elements, changes in the assets of the Corporation or changes in a service of the Corporation that are substantial and that the board has proposed but has not implemented.

   Yes  No

   If YES give details:

Additional Information

39. EXAMPLE. At MTCC XXXX the cost of electricity used in Units is NOT included in the monthly maintenance fees; it is separately metered and is an owner responsibility.

40. EXAMPLE. At MTCC XXXX the Corporation has signed contracts to pay for some or all television and internet service. The appropriate cost is part of the monthly maintenance fees and details can be supplied on request.

PART B. Information specific to a Unit

1. Unit Number:

2. Unit description in land registry office:

3. Does the Unit have any associated areas of “exclusive use, common elements”?

   Yes  No

   If YES, give details.

4. The Unit is in default in the payment of common expenses.

   Yes  No

   If YES the default totals:  $............... on ..........................

5. A certificate of lien has been registered against the Unit?

   Yes  No

6. During the current fiscal year, a payment of common expenses for the unit in the amount of $............... is due on the first day of each month. This amount includes the amount of any increase since the date of the budget of the Corporation for the current fiscal year.

7. As of the date of this certificate, the common expenses for the unit are in arrears by $.................

8. As of the date of this certificate, the Corporation has the amount of $............... in prepaid common expenses for the unit.

9. There are amounts that the Condominium Act, 1998 requires to be added to the common expenses payable for the unit.
If YES add brief description.

**Agreements under Section 98 of the Act.**

10. The unit is subject to one or more agreements under clause 98 (1) (b) of the Condominium Act, 1998 relating to additions, alterations or improvements made to the common elements by the unit owner.

If YES include a copy of the agreements with this certificate and mention them in the list of documents forming part of this certificate.

11. If agreement(s) under Section 98 of the Act exist, to the best of the Corporation’s information, knowledge and belief, the agreements noted above have been complied with by the parties.

If NO give details. (Delete this question if there are no agreements.)

**General Statements**

12. The information in the answer to Part B Question 4 of this Status Certificate is valid subject to all common element payment cheques clearing the bank.

13. The Corporation does not inspect the unit and/or appurtenant common elements or exclusive use common elements prior to completing a status certificate.

14. The Corporation does not make any representations with respect to any matters beyond the scope of the required information to be included in a status certificate pursuant to the Act, unless specifically stated herein.

15. All information included in this status certificate is based on and limited to the knowledge and information of the board of directors and/or management. As a result, purchasers and others are advised to satisfy themselves as to whether there are any breaches of the Act, declaration, by-laws or rules, including but not limited to whether any unauthorized alterations have been made to the unit and/or the common elements.
**SCHEDULE “A” TO THE STATUS CERTIFICATE**

Documents that may be ATTACHED (Always attached noted by *)

<table>
<thead>
<tr>
<th>Attached</th>
<th>Document</th>
</tr>
</thead>
<tbody>
<tr>
<td>*A copy of the Corporation’s current Declaration, by-laws and rules;</td>
<td></td>
</tr>
<tr>
<td>An occupancy standard by-law; (QUESTION: Why is this noted specifically?)</td>
<td></td>
</tr>
<tr>
<td>*The budget for the current fiscal year</td>
<td></td>
</tr>
<tr>
<td>*The most recent Audited financial statements and the Auditor’s report</td>
<td></td>
</tr>
<tr>
<td>Management Agreement entered into by the Declarant Board [S.111]</td>
<td></td>
</tr>
<tr>
<td>Agreements entered into by Declarant board before turnover, which are subject to termination [S.112(2)]</td>
<td>For goods and services on a continuing basis</td>
</tr>
<tr>
<td>Services and/or facilities on a fee for service basis</td>
<td></td>
</tr>
<tr>
<td>Leases on common elements for a business purpose</td>
<td></td>
</tr>
<tr>
<td>Insurance trust</td>
<td></td>
</tr>
<tr>
<td>Mutual-use agreements entered into by Declarant board before turnover [s.113]</td>
<td></td>
</tr>
<tr>
<td>*All current agreements between the Corporation and the owner of the unit, including any made under Section 98 (1)(b) of the Condominium Act, 1998</td>
<td></td>
</tr>
<tr>
<td>*A copy of any court order appointing an Administrator or Inspector</td>
<td></td>
</tr>
<tr>
<td>A copy of a Notice of Plan pursuant to S. 94(8) containing a summary of the reserve fund study, a summary of the proposed plan for future funding of the reserve fund and a statement indicating the arrears, if any, in which the proposed plan differs from the study</td>
<td></td>
</tr>
<tr>
<td>*A copy of Notice of Plan to increase Reserve Fund contributions under S.94(8)</td>
<td></td>
</tr>
<tr>
<td>*A Certificate of Insurance for each current insurance policy</td>
<td></td>
</tr>
<tr>
<td>*A copy of all applications made under S.109 of the Condominium Act, 1998 to amend the declaration or description for which the court has not made an order.</td>
<td></td>
</tr>
<tr>
<td>A copy of the schedule that the Declarant has delivered to the board setting out what constitutes a standard unit, (if any) if there is no by-law of the Corporation establishing what constitutes a standard unit</td>
<td></td>
</tr>
<tr>
<td>A copy of the order appointing an inspector under section 130 of the Condominium Act, 1998 or an administrator under section 131 of the Condominium Act, 1998.</td>
<td></td>
</tr>
</tbody>
</table>

**Question:** If a Corporation has approved and distributed a budget for the NEXT fiscal year should this not also be distributed?
Suggested revision:

INFORMATION CERTIFICATE

1. Corporation’s Legal Name assigned by the land registrar under ss27(3) of O. Reg 49/01

2. Registration Date of the declaration and description at the land registry office.  This will show the age of the Corporation.

3. Name, if any, of the Corporation.

4. Type of Corporation: (Standard/Phased/Vacant Land/Leasehold)  
   (Would be better to have separate Forms for each type of Corporation and/or allow the Form’s author to delete unnecessary sections?)

5. Municipal/civic address of the Corporation.

6. Address for Service of the Corporation

7. Email Address for Service of the Corporation

8. Does Corporation have a specific address for “Record Requests”? If so ........................................

9. Total number of Units  (does not apply to common elements Corporations)  Suggest that the Form should differentiate between residential, parking, storage and commercial Units

10. Total number of Voting Units (does not apply to common elements Corporations)

11. Maximum number of Votes - for common elements Corporations only – (ss 42(8), 49(1) and 51(1) and (6) do not apply).

12. Number of Directors according to the Corporation’s by-laws:  Suggested so reader can see if a full Board exists.

13. Names and terms of office of all current Directors/Officers:  Suggest use “term of office” rather than “date elected/appointed”

14. Name and Address of Service for any Licenced Condominium Management Company under contract with the Corporation, as well as of any Licenced Condominium Manager employed by the company who provides the services. OR Name and Address for Service of any Licenced Condominium Manager (individual) under contract with Corporation.

15. Corporation’s Fiscal Year Start and End Dates

16. Date of last Annual General Meeting
Budget
17. The budget of the Corporation for the current fiscal year is attached and is accurate; it may result in:
   a surplus of $................ OR  a deficit of $................  OR  a balanced budget ............

   Add comments if desired.

As the budget is attached why ask whether it will result in a surplus, deficit or be balanced?

Reserve Fund
18. At the start of the Corporation’s current fiscal year the Corporation’s audited Reserve Fund statement dated yyyy/mm/dd shows a balance of $............... (This will always be the audited figure from last AGM?)

19. As of ......................... (the last day of the quarter to which this Information Certificate relates) the Corporation’s unaudited reserve fund balance amounted to $.................................

20. In accordance with budget of the Corporation for the current fiscal year, the annual contribution to be made to the reserve fund in the current fiscal year is $..............

21. In the current fiscal year, the Corporation has, to the last day of the quarter to which this Information Certificate relates, spent $ .............. from the reserve fund. Give details

22. In the current fiscal year, the Corporation, from the last day of the quarter to which this Information Certificate relates, expects to make the following additional expenditures. $ .............. Give details.

The question in Section 4 of the current PIC is unclear and should be split into two. Sums already spent and sums to be spent in the future.

Insurance
23. The Corporation has secured all policies of insurance that are required under the Condominium Act, 1998.

   Yes  No  Give details - possibly use the information (deductibles etc) currently required in Section 3 of the current PIC

24. Has the Corporation obtained and maintained the insurance policy described in section 39 of the Condominium Act 1998? (Directors and Officers Insurance)

   Yes  No  If no, explain.

25. Has the Corporation obtained and maintained the insurance policy described in section 99 of the Condominium Act 1998? (Major Perils Insurance)

   Yes  No  If no, explain

26. Has the Corporation obtained and maintained the insurance policy described in section 102 of the Condominium Act 1998? (Liability insurance)

   Yes  No  If no, explain.
27. Has the Corporation any legal obligation to maintain, during the current year, any other insurance aside from the insurance described in sections 39, 99 and 102?  
   If YES, explain.

Yes ☐ No ☐

28. The standard unit is described in By-Law .........................

OR

the Standard Unit is not described (Explain) ......................

Legal actions related to the Corporation

29. The Corporation is currently a party to a legal action.

Yes ☐ No ☐

   If YES give details as in Section 5 of current PIC.

Outstanding judgements relating to the Corporation

30. The Corporation currently has outstanding judgements against it.

Yes ☐ No ☐

   If yes give details as in Section 6 of current PIC

Disclosure information from directors of the Corporation

31. Statements and information have been provided to the board during the current fiscal year under section 11.10 of O.Reg. 48/01 under the Condominium Act 1998.  
   If provided, these are enclosed or attached (unless they have already been distributed to unit owners by the board.) (COMMENT: They should only be distributed to owners once each fiscal year.) Add explanation as necessary.

Yes ☐ No ☐

Compliance

32. During the current fiscal year, the Corporation has complied with all returns obligations, if any, under Part II.1 of the Condominium Act 1998.

Yes ☐ No ☐

33. During the current fiscal year, the Corporation has complied with its assessment fee obligations, if any, under s.1.30(6) of the Condominium Act 1998.

Yes ☐ No ☐

34. A compliance order directed at the Corporation or any director or officer of the Corporation has been made by the Condominium Registrar etc etc. (See details in paragraph immediately preceding Section 8 of the current PIC and note that there is a TYPO! The reference to “subsection 132(9) of the Act should be to subsection 134(9))
If YES give details.

Other information about the Corporation that is required by a Corporation’s by-laws.

35. A by-law of the Corporation requires that additional information be included with this certificate.

Yes ☐ No ☐

If applicable this information is attached or enclosed.

This Certificate was prepared on dd/mm/yyyy