

## Condominium News and Views



To the Members and Friends of The Manitoba Chapter • Fall 2021

***The Canadian Condominium Institute - Manitoba Chapter***  
*leads the condominium industry by providing education, awareness and access  
to expertise by and for our members. We are your Manitoba condo connection!*

# NEWS FLASH: WASTE DIVERSION FEES AND CONDOS

*Continued on Page 5*



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## NEWSLETTER PUBLICATION SCHEDULE

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- Fall Edition (November) with September 30 deadline
- Winter Edition (February) with December 31 deadline
- Spring Edition (May) with March 31 deadline
- Summer Edition (August) with June 30 deadline

To help us ensure timely delivery of the *Condominium News and Views*, it would be a tremendous help if member corporations ensure that the CCI Chapter Administrator is provided with updated information whenever there is a change of Management Company, quantities required and distribution address, etc. Please call, mail, or email this information to our Chapter Administrator. Thank you in advance for your assistance!

## 2021-2022 BOARD OF DIRECTORS

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## PRESIDENT AND CHAPTER REPORT



**W**elcome to Fall, my favourite time of year, so why does it still feel like summer? The geese are practising I hope and will not leave for a long while yet. The leaves are turning and the fall colours are beautiful and as I write this report on a sunny and warm day in the first week of October, the grass is still green and the temperature is expected to be 29 degrees today. What a blessing!

October is a time for giving thanks.....thanks for our family, friends, our health and how blessed we are to live in Manitoba.

This is my final President and Chapter report. I have been a Board member of CCI, Manitoba Chapter for the past nine years and I have served as President for the last six years. I have enjoyed every moment and while I will continue on the Board as the Past President, it is time for me to step down and allow someone else the opportunity to serve in the role of President.

As I write this report, the election of officers at the October Board meeting is two weeks away, so stay tuned.

Serving as the President of CCI, Manitoba Chapter has been such a wonderful experience, meeting so many of our members, both provincially and nationally. I've enjoyed the many events over the years whether in person or on Zoom, although I must admit, the in person meetings were a lot more fun. Hopefully we will be able to meet again in person in the very near future.

The Presidents Forums have been particularly interesting for me because I too am a condominium owner and a Board President at my own condominium corporation.

I have gained so much knowledge about condominiums, the issues and the ways in which we can all help and support each other in the condominium community. The opportunity to network and learn from each other, our Professional Members and Business Partners, as well as our condominium owners and corporation directors, has been so gratifying and so much fun.

And those of you who know me well, know that my motto is "if it isn't fun, it isn't worth doing"?

I've really enjoyed being the face and voice of CCI, Manitoba Chapter as I responded to emails and phone calls listening to members' concerns, and assisting them in finding solutions.

Just today, a condominium corporation Board president called me to discuss an issue and was so happy to hear what I recommended and said "I'm so glad CCI is there to respond to my questions". We are happy to be there for our members as well.

I have made many friends along the way as well. So while I'm not really going anywhere as I will continue on the CCI Board of Directors, I do need to thank everyone for allowing me to serve in the role of President for these past six years. It has been a wonderful experience and I really have enjoyed it so much!

Many thanks to the CCI, Manitoba Chapter Board of Directors and to Millanne Baxter and Aesia Desrosiers, our Chapter Administrators not only for your support but also for all of your assistance. I am so grateful to all of you for helping me carry out my duties and responsibilities as

President. You are all "simply the best"!

Thanks to all CCI members for your support, whether I've met you at a CCI event or in the grocery store, or talked with you on the phone or by email or even if you enjoy my reports, thank you, thank you, thank you!

And now onto the report.

Our CCI Board of Directors met on September 9th at our first Board meeting of the fiscal year. The committees had all met prior to the Board meeting and shared their ideas for the upcoming year. AGM preparations were also finalized.

The AGM was held virtually on September 23rd and attendance was up over last year's first virtual AGM, so it seems we are all getting used to this method of meeting. We do anticipate that in the future we may have to do hybrid meetings and webinars as some really have enjoyed not having to attend an in person meeting while others are so looking forward to meeting face to face again.

The Board of Directors did make a decision to get together as a group in person at the AGM while the members attended virtually. We so appreciated getting together as a Board and to meet in person for the first time in over a year. New Board members were elected at our 2020 virtual AGM, so it was the first time some of us had the opportunity to meet each other in person. We are preparing, if all goes well, to meet again in person for our Board meetings, starting in October.

At the AGM, there were five positions open for election and seven candidates. Thanks to all those who put their names forward. Re-elected to the Board of Directors are myself, Duane Rohne and Alan Reiss and newly elected are Kirsten Bishop and Eric Hrycyk. Congratulations to Kirsten and Eric. We look forward to working with you, and know that you will bring some great new ideas and fresh perspectives to our Board of Directors.

Thanks to all candidates who let their name stand. We encourage you to submit your names at a future election and in the meantime to perhaps join one of our committees as a non-director volunteer. All members of CCI are encouraged to submit their names to serve on a CCI Manitoba Chapter committee.

Lori Ricard who served for at least fifteen years on our Board of Directors and with the exception of last year served as Treasurer for all of those years is not returning to the Board of Directors. We wish Lori well and cannot thank her enough for her commitment to CCI. We know that Lori will continue to support us and we hope to see her at future events.

Patricia Salam is also not returning to the Board of Directors and we thank her for her dedication to CCI and her hard work. Patricia was always the first to volunteer for a task. Again, we are hopeful that Patricia will continue working with us as a volunteer.

At our next scheduled meeting, we will elect the officers, the committees and chairpersons. This information will be posted on our website and will be included in future newsletters.

And so instead of saying, "until next time" I will say how proud I am that I have been able to serve the condominium community as your President and I look forward to seeing you all again soon.

MAUREEN HANCHARYK, President  
Manitoba Chapter 🍁

## 2021-2022 EDUCATION AND EVENT PROGRAM SCHEDULE

### CCI MB INTRODUCTORY COURSE - COMING ONLINE JANUARY 2022

A MUST FOR ALL CONDO DIRECTORS, PROFESSIONALS, CONDO OWNERS WHO ARE POTENTIAL DIRECTORS OR ANYONE WHO WANTS A BETTER UNDERSTANDING OF HOW CONDOMINIUM CORPORATIONS FUNCTION.

#### LEARNING OBJECTIVES

Upon completion of the CCI MB Introductory Course, participants will have a basic understanding of the following:

1. Governance and Condominium terminology
2. Directors responsibilities
3. How Condominiums are managed
4. Basic financial overview
5. Legislation that affects Condominium Corporations

A Condo Corporation Board is collectively responsible to set the vision for the Corporation which in turn creates the framework for operations. The learning objectives for this session are to help you get started by outlining the Governance and Directors' Responsibilities, discuss various approaches and options to Property Management and help better understand the Board's planning, financials, and other responsibilities.

### UPCOMING IN-PERSON AND ONLINE EVENTS

For the most up to date information about our event schedule and associated rates for members and non-members, please use <https://cci-manitoba.ca/education-events/upcoming-course-events>.

DATE & TIME	TOPIC	FORMAT
OCT 21, 2021	<b>ONE TEAM ONE MISSION!</b> <b>REALTORS, PROPERTY MANAGERS &amp; OWNERS</b> SALE OF CONDOMINIUMS - WHAT DOCUMENTS ARE NEEDED FROM OWNERS, PROPERTY MANAGERS AND REALTORS? HOW TO SPEED UP THE TIMELINE.	WEBINAR
NOV 18, 2021	<b>LIVING THE DREAM!</b> <b>GETTING THE MOST OUT OF CONDO LIVING</b> UNDERSTANDING YOUR DECLARATION & BY-LAWS, RECOGNIZING YOUR RESPONSIBILITIES AS A UNIT OWNER AND THE PROPER COMMUNICATION CHANNELS.	WEBINAR
JAN 20, 2022	<b>RESERVE FUND STUDIES &amp; ENERGY EFFICIENCY</b>	TBD
FEB 17, 2022	<b>YOU CAN'T PLEASE PEOPLE ALL THE TIME!</b> MANAGING & BUILDING RELATIONSHIPS IN CONDOMINIUMS BETWEEN THE BOARD OF DIRECTORS, PROPERTY MANAGERS & OWNERS. ESTABLISHING GOOD COMMUNICATION SKILLS.	TBD

### PODCASTS OF PRIOR EVENTS

Don't worry if you missed one of the Lunch and Learn (LnL) or webinar sessions in the past year or so, as they are now available as podcasts after a few weeks at <https://cci-manitoba.ca/members-only/podcasts> along with some other recordings of past webinars and virtual events.

DATE & TIME	PODCAST TOPIC
MAY 20, 2021	<b>ELECTRIC VEHICLE CHARGING STATIONS IN CONDOS</b>
APR 15, 2021	<b>SOLVING THE MYSTERY OF CONDO DOCS</b>
MAR 18, 2021	<b>THE VALUE OF A PROPERTY MANAGER - WHAT THEY CAN DO FOR YOU</b>

### OTHER EDUCATIONAL RESOURCES

There are numerous resources available including educational videos for self study, podcasts of prior education events, and condo industry articles and publications. Check out the CCI National Resource Centre and the various categories of information <https://cci.ca/resource-centre/overview>.

As well, as a CCI Manitoba member you are eligible to participate in educational webinars put on by the other chapters across the country. Note that many chapters are offering free webinars while some require a payment. Take a look at the offerings at <https://cci.ca/events/upcoming-events>.



**NATIONAL CONFERENCE**  
FALL 2021  
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**Adapting to a  
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## NEWS FLASH: WASTE DIVERSION FEES AND CONDOS

There was an article published in the Winnipeg Free Press about waste diversion fees being applied to condo unit owners for corporations with more than seven units.<sup>1</sup> The proposed **annual** fee would start in January of 2023 at \$44 per unit to help cover recycling costs. As this late breaking news came just as we were going to print for our fall newsletter the implications and rationale are not clear. Already there are letters to the editor and we encourage you to contact your City Councillor about this matter.<sup>2</sup>

A follow up article in the Winnipeg Free Press suggests that the fees would make for a more equitable situation in relation to service fees for condo owners versus single-family homes.<sup>3</sup>

*"Winnipeg water and waste director Moira Geer said the fee aims to make waste collection charges equitable among all who use the service. Currently, those living in single-family homes, as well as those living in buildings with seven units or less, pay*

*a waste diversion fee of \$66 per year. Those in buildings with eight units or more aren't charged, Geer noted.*

If you want to find more details on this topic, it was discussed in the City of Winnipeg's WWRME 2021 10 08 meeting, a recording of which is available on the City's YouTube channel (starting at the 6 minute mark).<sup>4</sup>

As to whether it is indeed equitable, we'd like your opinions. A quick sanity check from a few of us CCI Directors found the following

- A townhouse condo property with 21 units and 7 blue wheelie bins would be charged  $21 \times \$44 \div 7 = \$132$  per blue bin versus \$66 for a bin at a single family home
- A apartment condo property with 148 units and 20 blue wheelie bins would be charged  $148 \times \$44 \div 20 = \$325$  per blue bin versus \$66 for a bin at a single family home

Does this seem equitable to you?

CCI Manitoba will continue to monitor the proposal as it works its way through the process at City Hall. This should all remind

us of what happened in the fall of 2019 and the winter of 2020 — no, not the start of the pandemic, but a proposal made to the City Council about cutting garbage pickup services to condos.<sup>5</sup> With the help of you, our valued members, we can collectively advocate on behalf of the condominium community to ensure fairness and equitable treatment. 🍁

<sup>1</sup> City report calls for fee to dump waste collection deficits Joyanne Pursaga Winnipeg Free Press Tue Oct 5th 2021 [https://winnipeg-can-app.newsmemory.com/?publink=1e684ef8b\\_1345f61](https://winnipeg-can-app.newsmemory.com/?publink=1e684ef8b_1345f61)

<sup>2</sup> Letters to the Editor Winnipeg Free Press Wed Oct 6th 2021 [https://winnipeg-can-app.newsmemory.com/?publink=21b342563\\_1345f62](https://winnipeg-can-app.newsmemory.com/?publink=21b342563_1345f62)

<sup>3</sup> Multi-unit waste fee proposal pushed to budget 2021 process Joyanne Pursaga Winnipeg Free Press Sat Oct 9th [https://ee.winnipegfreepress.com?publink=11373cfb8\\_1345f65](https://ee.winnipegfreepress.com?publink=11373cfb8_1345f65)

<sup>4</sup> City of Winnipeg Water, Waste, Riverbank Management & Environment Committee meeting 2021-10-08 <https://www.youtube.com/watch?v=sPv9zLMfpOM>

<sup>5</sup> Update - CCI advocacy against City of Winnipeg cuts to condo garbage service CCI News and Views - Winter 2020 <https://cci-manitoba.ca/sites/default/uploads/files/newsletter/CCI-MB-Newsletter-2020-Winter.pdf>



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## PHYSICAL SECURITY IN CONDOMINIUMS



**C**rime is not an everyday experience, but when it happens, it is very troubling. There are several ways your condominium building, residents and visitors can be protected.

First, it's essential to ensure that outside lighting is adequate and working. With the new LED lamps, using a dusk-to-dawn or motion sensor makes financial sense and is easy to implement. Regularly check locks on doors and windows, ensure fences are in good repair, review roofs for secure access and storage rooms for security (they should have adequate locking mechanisms). You should also plan and conduct drills for unauthorized intrusions. Raising awareness of implemented security procedures in the condo community can be a great asset.


You should also invest in a quality security system. This could be a stand-alone security system in certain buildings. Alternatively, with internet access, a system could form a security curtain for multiple buildings. A quality system provides many advantages: much longer component life, lower maintenance costs, fewer false alarms, increased video resolution, increased cybersecurity and more. A security system can even incorporate thermal cameras, vehicle license plate readers and facial recognition. Some apps can detect a person who has fallen or someone laying motionless on the ground. Another app can detect suspicious behaviour if someone enters or remains in a sensitive area.

A risk assessment of the property, its assets and its systems, is an essential first step. The assessment should consider these three components of physical security.

- The likelihood of a specific incident occurring. Have there been prior incidents at your property or neighboring properties?
- The impact of said incident - how critical of an issue would it be if inadequate security allowed it to happen.
- The vulnerability - are there existing prevention or detection measures, cameras, protection zones available, technology, barriers, people and procedures in place?


In addition to looking at the buildings, risk assessments of the property perimeter including fences, entrances, exits, parking areas, roof openings, windows and doors need to be investigated.

A thorough security assessment should include a combination of surveillance, lighting, access control, barriers, alarm systems and security officers/monitoring, all within a predetermined budget. Of course, security improvements can be implemented in stages over several years. A word of caution — delaying security improvements can lead to losses that would exceed the cost of security improvements.

GARY WILLIAMS  
Clearly InSight 

*Gary Williams has worked in the security industry for 14 years as a security consultant, security service provider and is the owner of Clearly InSight. He launched the company 10 years ago and, in that time, has provided a superior level of security for many schools, municipalities and businesses. For more information, visit [ClearlyInSightIP.com](http://ClearlyInSightIP.com).*

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## GREY CUP PARTY FAVOURITE RECIPES

**P**lanning on hosting or attending a Grey Cup Party this year? Here are a few favourite recipes from some of our members. If you'd like to contribute your favourite recipes regardless of the occasion, just send us an email [ccimanitoba@cci.ca](mailto:ccimanitoba@cci.ca).

### SLOW COOKER BAKED BEANS

Inspired by Alan with credit to <https://www.allrecipes.com/recipe/46763/texas-cowboy-baked-beans/>

INGREDIENTS (SERVES 8-10)	DIRECTIONS
<ul style="list-style-type: none"> <li>1 lb lean ground beef</li> <li>4x 14 oz cans baked beans w/tomato sauce</li> <li>1x 19 oz lentils, drained and rinsed</li> <li>1x 4oz can diced green chiles</li> <li>1 large onion, diced</li> <li>1 cup BBQ sauce</li> <li>1/2 cup brown sugar</li> <li>1 heaping tbsp crushed garlic</li> <li>1 tbsp chili powder</li> <li>3 tbsp hot pepper sauce</li> </ul>	<ol style="list-style-type: none"> <li>Brown ground beef in a skillet over medium heat.</li> <li>Combine ground beef with drippings and all other ingredients in a 3 1/2 quart or larger slow cooker.</li> <li>Set the slow cooker to auto or low in the morning and sample at noon. Ready to serve at half-time of the game.</li> </ol>

If your slow cooker is large enough, do a double batch and bring to your Grey Cup party.

### CAESAR DRESSING

Inspired by Verla

INGREDIENTS (MAKES 2 CUPS OF DRESSING)	DIRECTIONS
<ul style="list-style-type: none"> <li>1 repurposed jam/salsa jar, 650ml or so</li> <li>Olive oil</li> <li>Grated parmesan cheese</li> <li>1/4 cup lemon juice</li> <li>1/8 cup worcestershire sauce</li> <li>2 tsp anchovy paste (optional)</li> <li>1-2 tsp hot pepper sauce</li> <li>1 garlic bulb minced</li> <li>Any brand of Ranch dressing or peppercorn Ranch dressing (regular or lo-cal but not fat free)</li> </ul>	<ol style="list-style-type: none"> <li>Pour yourself a glass of wine (or beer) and take a sip.</li> <li>Pour olive oil into the jar to about the one inch level.</li> <li>Add in about one inch of parmesan cheese and stir well.</li> <li>Add in anchovy paste (optional), garlic, lemon juice, worcestershire sauce and hot pepper sauce.</li> <li>Stir well while sipping wine/beer.</li> <li>Add in Ranch dressing to the top of the jar and stir/sip well.</li> <li>Refrigerate.</li> </ol>

### EASY SPINACH DIP

Inspired by Teresa

INGREDIENTS	DIRECTIONS
<ul style="list-style-type: none"> <li>1 pkg. (8 oz.) cream cheese, softened</li> <li>1 cup sour cream</li> <li>1 package vegetable soup mix</li> <li>1 pkg. (8-10 oz.) frozen chopped spinach, thawed, well drained</li> <li>1 can (8 oz.) water chestnuts, drained, chopped (optional)</li> <li>2 round pumpernickel loaves</li> </ul>	<ol style="list-style-type: none"> <li>Blend all ingredients except the bread then refrigerate for a few hours</li> <li>Hollow out one of the loaves and cut up remaining bread into bite sized pieces.</li> <li>Fill hollowed out loaf with the chilled dip and serve on a platter with the bread pieces</li> </ol>

### QUICK RUM CAKE

Inspired by Shannon

INGREDIENTS	DIRECTIONS
<p>For the cake</p> <ul style="list-style-type: none"> <li>1 cup pecans</li> <li>1 yellow cake mix</li> <li>1 package vanilla instant pudding</li> <li>1/2 cup each of water, oil &amp; rum</li> <li>4 eggs</li> </ul> <p>For the sauce</p> <ul style="list-style-type: none"> <li>1/4 lb butter</li> <li>1 cup brown sugar</li> <li>1/4 cup water</li> <li>2 oz rum</li> </ul>	<ol style="list-style-type: none"> <li>Sprinkle the pecans into the bottom of a greased bundt pan.</li> <li>Mix the cake mix, pudding powder, water, oil and rum together.</li> <li>Beat in the 4 eggs and pour the batter into the pan.</li> <li>Bake at 350°F for 44 minutes</li> <li>Bring to a boil butter, brown sugar, water and rum together in a saucepan then remove from the heat.</li> <li>Poke holes in the bottom of the cake while still in the pan.</li> <li>Pour sauce over the cake and let soak in</li> <li>Once completely cool, remove from pan onto a plate</li> </ol>

## SCIENCE HUMOUR

Jokes courtesy of <https://parentheticalpilgrim.wordpress.com/tag/particle-physics-jokes/>

- An electron and a positron walk into a bar.  
Positron: "You're round."  
Electron: "Are you sure?"  
Positron: "I'm positive."
- A neutron walks into a bar.

He asks the bartender, "How much for a beer?"

The bartender says, "For you, no charge."

- Helium walks into a bar.  
The bartender says, "Sorry, we don't serve noble gases in here."  
Helium doesn't react.
- Neutrino walks into a bar.  
The bartender says, "Sorry, we don't serve any neutrinos in this bar."

Neutrino says, "Don't mind me, I'm just passing through."

And a few more courtesy of <https://www.astronomytrek.com/astronomy-jokes-and-humour/>

- Einstein developed a theory about space, and it was about time too!
- I'm reading a book about anti-gravity.. it's impossible to put down!
- Scientists have found that the center of Jupiter contains the letter "i".

## THE REISS REPORT

### CONDO REAL ESTATE BLOG: WITH THREE MONTHS TO GO BEFORE THE END OF THE 2021 SALES YEAR, THE CONDO MARKET REMAINS HOT.

**W**hy have sales been so brisk? In a word, the reason is none other than affordability. While prices of single-family homes have skyrocketed due to a lack of inventory and resulting bidding wars, condos have continued to assert themselves as an affordable – and more readily available – option, especially for first-time home buyers.

This past September, condo sales were exceptionally strong across the board. As it turned out, over three out of four – or 76.8 percent – of condo sales occurred in the \$100,000 to \$299,999 price range. The most active price range was from \$150,000 to \$199,999, which accounted for 31.4 percent of all sales.

By contrast, 75 percent of single-family homes sales were spread out from \$200,000 to \$550,000, with nearly half of sales taking place within the \$275,000 to \$399,999 price range. That range is also where most bidding wars took place, which left many first-time buyers out in the cold.

Is there a second factor that accounts for the popularity of condos? The answer is yes, and that factor is none other than availability. While many buyers couldn't find a single-family home in the area they wanted to live in, they were usually able to find a condo in their desired neighborhood. Consequently, the sales conversion rate for condos is at an all-time high due to the perfect storm created by affordability and availability.

The result? Well, with three months to go in the 2021 sales year, a total of 2,014 condos have been sold. That figure has already smashed the record of 1,847 units sold in 2020. That record of 2,014 will only continue to grow in the coming months as home buyers continue to discover the great value condos offer in terms of the high level of affordability, availability and livability that they offer.

Question is, can these record sales numbers continue? That's hard to predict. However, with interest rates remaining low, a high number of home buyers – particularly first-time buyers – will continue to gravitate to the condo market. That attraction figures to continue as consumers realize they can gain equity in a home in the area they want to live in. And with condo projects continuing to pop up all over the city, inventory figures to stay strong as affordable prices continue to prompt people to give the turnkey condo lifestyle a try.

ALAN REISS

CCI MB Newsletter Committee

RE/MAX PROFESSIONAL, Condo Specialist 🍁





## THE GREEN CONDO PAGE

**W**hether it improves the sustainability of your condo operations, reduces waste, increases energy efficiency, reduces water consumption or just beautifies the environment surrounding your property, we'd like to hear from you - just send us an email with a subject line of "CCI Green Condo Page". We hope to hear from you soon.

### CANADA GREENER HOMES GRANT

Some condo corporations are eligible - bungalow, townhome and some lowrise apartments. For details, check out the Natural Resources Canada website

<https://www.nrcan.gc.ca/energy-efficiency/homes/canada-greener-homes-grant/23441>

### EFFICIENCY MANITOBA'S HEAT PUMP PROGRAM

Efficiency Manitoba's Heat Pump Program is now accepting online applications (<https://efficiencymb.ca/business/heat-pump-program/>) for ground source heat pumps. Efficiency Manitoba will subsidize installations based on a prescriptive structure outlined on the program's webpage. Applications must be submitted before work begins.

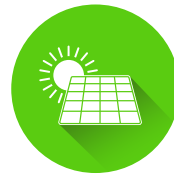
Installers must be an accredited Manitoba Geothermal Energy Alliance (MGEA) members and must also register with Efficiency Manitoba's Supplier Network in order for customers to be eligible for the rebates. Customers can also use the Supplier Network to find supplier/installers in their part of the province.

### RECYCLING NON-RECYCLABLES

Sound like an oxymoron? There is a company called Terracycle, <https://www.terracycle.com/en-CA>, that works with manufacturers, retailers and consumer product companies to recycle materials that are not accepted by most municipal recycling programs. Examples of products that can be recycled include coffee pods, squeezable snack pouches, disposable dining products, cigarettes and packaging, PPE masks and gloves, styrofoam food containers, printer cartridges, pens, pencils and markers, shipping materials and bubble wrap - the list seems endless.

Note that there is a cost associated with some of their programs. For some programs, such as Febreeze and Swiffer, there are drop-off locations in Morden, Winkler and Rorketon. However, for most programs, you pay for a container to capture the products and then when the container is full, you ship it to them at their expense.

This type of program could be of interest to some of the larger condo corporations (CCs) that have common areas for dining or coffee breaks, and also be of interest to property management companies



and cleaning companies. Commercial and retail businesses could also take advantage of this type of approach to reduce the amount of waste going to landfill. Keep in mind that even though there is a cost to their programs, one way or another, you are already paying for non-recyclables to be removed from your property.

I have only recently come across Terracycle as an option and have yet to try one of their programs. If you or someone you know has experience with one of their recycling programs, I would like to hear from you.

### CONDOS AND CLIMATE CHANGE

Has your condo board been thinking about the implications of climate change and the planned actions by various levels of government? Have you considered that you may need more money in your reserve fund than you think, in order to address the required future decreases in energy consumption and GHG emissions? If not, be sure to read the article on the next page (p 10) from one of our colleagues from CCI Toronto Chapter.

ALAN FORBES  
CCI Newsletter Committee 🍀



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## RESERVE FUNDS IGNORE CLIMATE TARGET IMPACTS

### CONDOS NOT PREPARED FOR INEVITABLE EFFECTS OF 2030 AND 2050 EMISSIONS GOAL

Canada signed into the Paris climate accord that sets targets for greenhouse gas emissions being 30 per cent lower than 2005 levels by 2030 and net-zero by 2050. Many of us believe this is a high-level statement that has no bearing on how condominiums are managed today. After all, 2030 and 2050 are a long way off and we have to tend to our day-to-day obligations, never mind those far into the future. Right?

Here's the hard truth that many of us have not faced yet: our reserve fund studies with 30-, 45- and 60-year projections for expenses take us past the 2030 targets (just nine years from now) and smack dab into the 2050 net-zero emissions targets. How does this affect condominiums? Good question.

The condominium industry is not taking steps to prepare condo corporations for the inevitable effects of the targets<sup>1</sup>. Buildings are one of the top sources of greenhouse gas emissions<sup>2</sup> in Canada, so there's no way condominiums will escape scrutiny. In 2019, buildings accounted for 12 per cent of emissions— more than the heavy industrial sector.

Net-zero is defined as our economy either emitting no greenhouse gas emissions or offsetting emissions. For condos, we only have to look at boilers for heating and for domestic hot water or any other gas-burning gas appliance to find large emissions contributors. Did I mention the emergency generators?

Recently, we saw carbon taxes applied to natural gas and gasoline. We can only predict that these carbon taxes will increase as we get closer to 2030 and then again as we near 2050, making gas far too expensive for condominiums.

No longer is it reasonable to disregard the post-climate-target economy by choosing to ignore the foreseeable reality that natural gas will simply be too expensive for condominium owners to use as fuel. Today's reserve fund expenses contain "like-for-like" costs that account for end-of-life replacement of various boilers. But looking forward, we can't afford to simply accrue funds for replacing the current heating systems with newer gas-burning appliances. This means that our current projected replacement costs for gas-burning appliances are dreadfully underfunded.

Will it be electric boilers supported by geothermal heat storage? Deep water supply for cooling and heating? Renewable energy sources? It's simply too soon to predict how we will replace our gas-burning, greenhouse-gas-producing appliances. The question we should be asking is, "Is it too early to start accruing funds for the 2030 and 2050 new net-zero world?"

With just 29 years to accrue funds and search out new lower emission appliances and building systems, we should be having these conversations now. I will also bet that not a single reserve fund study in place today has taken the position to accrue funds for what will surely be an expensive change to alternate heating systems.

We should be asking our reserve fund planners to look at the Paris accord target dates and compare the end-of-life replacement of our gas-burning appliances against the target dates. As we near 2030, and again in 2050, we need to ensure that we are accruing funds that will leave us in a good financial position to look at alternate heating sources without placing the full burden on future residents.

Make no mistake, there is large international momentum around reducing greenhouse gas emissions. Close to 200 countries have committed to fighting climate change. Further, economic damage from the COVID pandemic has motivated governments to look at this as an opportunity to create high-value jobs in the high-tech, engineering, and construction sectors. In the fall of 2020, the Canada Infrastructure bank announced a \$2-billion initiative as one component of a \$10-billion strategy to stimulate green economic growth to help meet Canada's commitment to reduce emissions.

The choices are clear: do nothing and see the devastating effects on condominiums when they are forced to pay large sums of money (not accrued) to switch out gas-burning and greenhouse gas-emitting appliances or live with exorbitant carbon taxes, placing the cost of living in a condominium out of reach for most people. Or, prudent boards of directors can start accruing for the inevitable now so that funds are available when needed, thereby keeping the cost of living and the cost of purchasing a condominium affordable relative to neighbouring buildings today and in the future.

Let's start by asking our reserve fund planners to address the 2030 and 2050 targets in the next reserve fund study update. We all better hurry; time is running out.

MURRAY JOHNSON 🌱

*Murray Johnson is vice president of client operations at Crossbridge Condominium Services Ltd and the president of CCI Toronto.*

<sup>1</sup> <https://www.canada.ca/en/environment-climate-change/services/environmental-indicators/progress-towards-canada-greenhouse-gas-emissions-reduction-target.html>

<sup>2</sup> <https://www.reminetwork.com/articles/climate-change-fallout-projected-to-be-bleak/>



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## INSURANCE & RISK MITIGATION

The old adage “an ounce of prevention is worth a pound of cure” is applicable to the insurance market. If you want to reduce the pressure on ever-increasing insurance premiums, look for ways to prevent having to make claims and look to mitigate the various risks to persons and property. Consider putting together a risk mitigation plan for your condo corporation and show it to your insurance broker and ask for their feedback. They will be happy to help you because lowering your claims risk is a win-win situation for both parties.

Our CCI website has numerous tips for reducing risk and understanding your insurance policy, provided by some of our insurance industry Business Partner Members. Have a look in the members-only area of our website at <https://cci-manitoba.ca/members-only/forms-templates>. On that page, you will find information from HUB International and BFL Canada Insurance Services.

HUB INTERNATIONAL	BFL CANADA
TIPS TO PREVENT WATER DAMAGE	IMPORTANCE OF DRYER VENT CLEANING
IMPORTANT FACTS ABOUT YOUR UNIT OWNER POLICY	HOT WATER TANK MAINTENANCE
TIPS & CHECKLIST TO PREVENT SLIPS, TRIPS AND FALLS	PLAYGROUND & EQUIPMENT MAINTENANCE
CRIME PREVENTION TIPS FOR A SAFE & HAPPY CONDO	BATHROOM VENT MAINTENANCE
INCIDENT REPORT TEMPLATE	DISHWASHER MAINTENANCE
TIPS FOR FIRE LOSS PREVENTION	FIRE SUPPRESSION SPRINKLER MAINTENANCE
BARE LAND CONDO COVERAGE CONSIDERATIONS	TOILET LEAK PREVENTION TIPS
UNIT OWNER POLICY DEFINITIONS	WASHING MACHINE LEAK PREVENTION
	GENERAL WATER DAMAGE PREVENTION TIPS
	SMOKE ALARM MAINTENANCE

### AS WELL, BFL HAS DEVELOPED SOME YOUTUBE VIDEOS TO MITIGATE SOME COMMON RISKS

- **How to Prevent Kitchen Fires** <https://www.youtube.com/watch?v=5bYjOs3e9hM>
- **How to Prevent Frozen Pipes** <https://www.youtube.com/watch?v=pQZnDrvyGz0>
- **How to Use a Fire Extinguisher** <https://www.youtube.com/watch?v=C4W8meJEDCQ>

Remember preventing a loss and a claim is a win-win for both the insurer and the policy owner. 🍁

*"Consider putting together a risk mitigation plan for your condo corporation and show it to your insurance broker and ask for their feedback."*



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## FIELD NOTES FROM A CONDO CORP TREASURER



**S**o you joined the Board of your Condominium Corporation (CC) and ended up as Treasurer even though you are not an accountant. Do you sometimes feel lost, overwhelmed, or unsure how to provide value to your CC and the owners? Here are some lessons learned from someone in the same situation.

For context in comparison with your CC, the following is based on a townhouse CC with multiple buildings, with each unit owner responsible for their own electricity bill. Note each unit has electric heat (forced air furnace) and natural gas is not available on the property.

### POTENTIAL MANITOBA HYDRO SAVINGS

One of our unit owners retired from MB Hydro and informed our Board about getting a reduction in our monthly Hydro bills because electric heat is our only option. Once we determined we were eligible, we informed all unit owners via our newsletter and at the AGM - unit owners must apply individually since they all have their own Hydro account. If this is applicable to you, check your bill – the City Tax should be 0.5% instead of 2.5% while the Provincial tax should be 1.4% and instead of 7%. If you don't already have the reduced tax rate, call Manitoba Hydro customer service 204-480-5900 to request the application form<sup>1</sup>. If applicable to you, it could provide nice savings of about 7% on your Hydro bill and you may receive a rebate for the excess tax paid on your prior bills, retroactive to when you moved in.

In the past year, I noticed an oddity with our Common Element (CE) Hydro accounts. Each building had its own CE meter and one of the buildings was always significantly lower for the monthly billing than the others. Thinking it was perhaps related to differences in where the exterior lights and plugs were wired in, I didn't think much of it for a while. Then one month while reviewing the monthly financial statements and the invoices, I noticed all buildings consumed about the same amount of electricity yet one building was much cheaper. Upon investigation, I found that the other buildings were mis-classified as *General Service - Small*<sup>2</sup> instead of *Residential - Standard*<sup>3</sup>. We received a refund of our prior years overpayment and are seeing savings on our monthly bills on the order of \$12 for the basic fixed charge and \$5-\$6 on consumption (rate is lower by 0.4¢/kWh). It pays to thoroughly read your monthly statements.

### POTENTIAL SAVINGS ON MONTHLY SERVICE CONTRACTS

This may pertain to your property if you have different account numbers for each building in your CC, or if you are in a phased condo property with each phase being a different CC.

In my first year as Treasurer, I noticed that each building had a different account for CE alarm monitoring (don't know why) and each had a different monthly rate and different billing cycles. We contacted the service provider, synchronized the billing cycles and contract terms, and realised an overall 17% annual savings.

Review your terms of service for your monthly contracts, such as for property management, lawn care and snow removal. Are you paying for services you don't value or don't need? Are you happy with your service provider? Do you communicate with your service provider about your expectations, requirements and satisfaction levels? If you don't, you should start now - you will find that they are more than willing to provide advice on how to better meet your needs and/or save you some money. We were able to save over 25% on our property management bill by switching to a provider that was better aligned with the size of our property and in terms of the services that we really needed. After several discussions with our snow contractor, we were able to get better service to what we needed and saved about 10% by rationalizing the services we received.

**"Review your terms of service for your monthly contracts, such as for property management, lawn care and snow removal."**

### QUOTES AND INVOICES

Generally, invoice amounts will match the quoted amount but not always. Sometimes there are mistakes on the invoice due to incorrect rates or calculation errors (some providers are not computerized and still do manual calculations). Sometimes the provider will add on additional cost items because they missed them in the quote - you don't have to accept that, but be reasonable about it. One thing I have caught a few times was calculation errors in fuel surcharges.

ALAN FORBES  
WCC 619 Treasurer 🍁

<sup>1</sup> Manitoba Hydro HEATING/COOLING INFORMATION REPORT [https://residents.gov.mb.ca/forms.html?id=details&pub\\_id=7828&filter\\_dept=104&filter\\_type=forms](https://residents.gov.mb.ca/forms.html?id=details&pub_id=7828&filter_dept=104&filter_type=forms)

<sup>2</sup> [https://www.hydro.mb.ca/accounts\\_and\\_services/rates/commercial\\_rates/#e-sgs](https://www.hydro.mb.ca/accounts_and_services/rates/commercial_rates/#e-sgs)

<sup>3</sup> [https://www.hydro.mb.ca/accounts\\_and\\_services/rates/residential\\_rates/](https://www.hydro.mb.ca/accounts_and_services/rates/residential_rates/)

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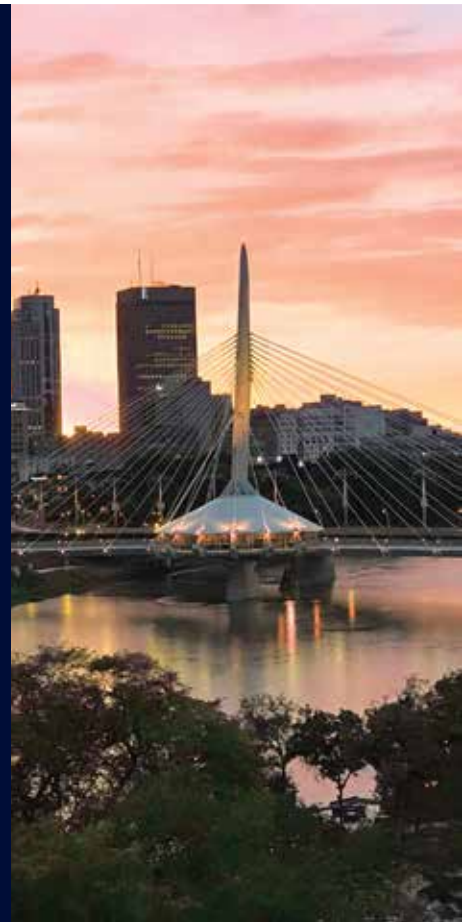
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# CCI MANITOBA BOARD MEMBER PROFILES

## CCI MANITOBA MISSION

*The Canadian Condominium Institute – Manitoba Chapter leads the condominium industry by providing education, information, awareness and access to expertise by and for our members.*

***We are your Manitoba condo connection!***

## YOUR NAME COULD BE HERE SOON

If you're not quite ready to become a Director with us, how about volunteering for one of our committees? We have the following committees that could make use of your skills and experience - Communication & Membership, Newsletter, Government Relations, Educations, AGM & Sponsorship <https://cci-manitoba.ca/home/committees>. If you are interested in getting involved with CCI Manitoba, please send us a letter in the mail, or give us a phone call or send us an email.

### CCI Manitoba Chapter

P.O. Box 48067 LAKEWOOD PO Winnipeg, MB R2J 4A3

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#### DIRECTOR AUDREY HARDER - ELECTED IN 2020

Audrey joined the CCI Manitoba Board in Oct 2020. Audrey has many years of experience working in finance and management. She is detail oriented, diligent and dedicated to her work. She loves learning new things and enjoys growth in her personal life as well as her professional life. She also enjoys spending time with her family and friends, reading, fishing, and travelling.

She has been with Schinkel Properties for over 9 years. During this time she has worn many "hats" from accountant to property manager and now is the General Manager of the property management team. She loves managing the property management division, helping her team to learn and grow.

Her knowledge and experience in property management enables her to help her clients navigate and understand processes and protocols. Working together to establish efficient and effective ways to meet their expectations.

Building relationships is important to her. She finds it rewarding when she provides her clients with a caring attitude, along with the knowledge and expertise that they need to manage their property successfully.



#### DIRECTOR CARL DALTON - ELECTED IN 2020

Carl was introduced to the Canadian Condominium Institute (CCI) in 2017 and joined CCI Manitoba's Board last year.

Carl is an active professional member, who practices with the law firm Tapper Cuddy LLP in downtown Winnipeg. Professionally, Carl assists unit owners, condominium corporations, and developers with condominium challenges.

Personally, Carl enjoys the community connection that comes with living in a condominium. He thinks that the best part about condominium living is meeting nice people who have common interests and work together to live well. Carl is also passionate about the personal enrichment that being involved in CCI Manitoba has given him - CCI Manitoba really is the **condominium connection**.

## CONGRATULATIONS TO OUR NEWLY ELECTED DIRECTORS

At our AGM on September 23rd, we elected five directors for three-year terms. While three of them were returning directors - Maureen Hancharyk, Alan Reiss and Duane Rohne - we also have two new directors joining us - Eric Hrycyk from WCC 636 and Kirsten Bishop from Aries Property Management. Congratulations to all five and thank you for volunteering your time to CCI Manitoba. Look for their profiles to be published in future editions of our newsletter. 🍁



## SOLAR POWER AND CONDOS

In this article, we want to explore a condominium solar panel project. To that end, we found Bruce Mackenzie, who in 2015 was the Central Park Condominium President in Victoria, BC. As a self-professed “energy geek”, he decided the time was right to explore solar panels for his Victoria, BC condominium.

I spoke with Bruce and can attest he loves talking about energy and all things related.

Bruce believed solar would be viable in Victoria, and his 64 unit flat roof condominium would be a good test case. The planning began a few years before installing 60 solar panels on the roof of Central Park. At an AGM, he enquired with unit owners and received a go-ahead to explore the idea. Over a couple of years and lots of planning, the project went to a vote at their AGM and passed. With the unit owner's approval obtained, he worked with a local contractor experienced with solar panels.

If you are interested - and this is a huge endorsement - Bruce recorded the entire project in a blog. I highly recommend anyone interested in a condominium solar panel project to take the time to read his very well written and researched blog, *Solar Power on Your BC Strata*<sup>1</sup>.

The panels were installed and began producing energy five years ago, in June of 2016. Since then, the panels have performed flawlessly. They have even achieved performance levels slightly beyond expectations.

Bruce offered a few insights gained from the project for anyone thinking of solar panel installation.

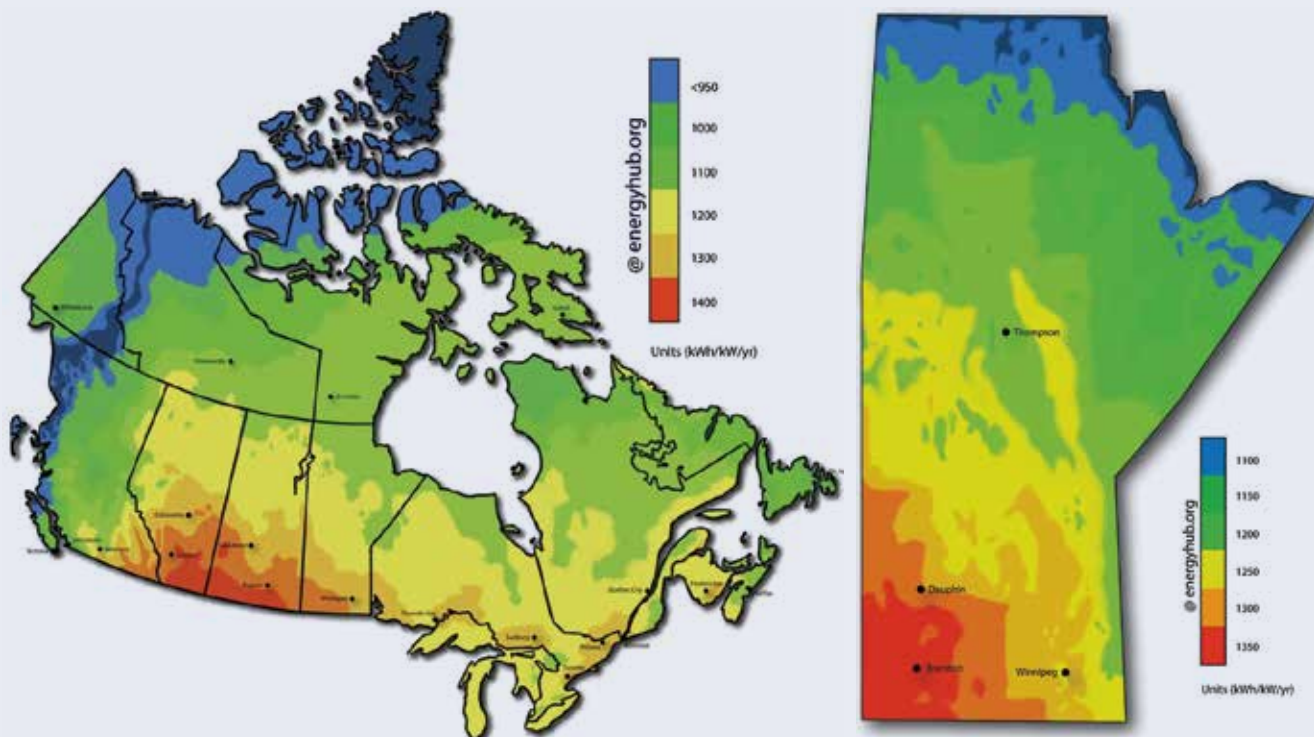
- After gaining approval to explore the project, he partnered with an experienced contractor to assist with the planning phase.
- Gaining approval for the project required that he produce a detailed presentation at his AGM and research every possible question he thought could be asked by unit owners, which proved very helpful at the AGM.
- At the AGM, he answered every question and presented a detailed cost analysis of the project.

- After installing all 60 panels on the condominium roof, an unexpected benefit was the shade the panels created. Top floor unit owners situated directly below the panels reported their units were somewhat cooler in the summer.
- The solar panels used in the project lay nearly flat and did not require the installers to puncture the roof to mount the panels on the roof.
- They secured the panels to the roof with concrete sidewalk blocks.
- The roof is perfectly flat, and they had very few obstructions to work around and most importantly, surrounding buildings, structures or trees do not shade the entire roof.
- In the past six years, there has been no damage to any of the panels, and they are still performing at or just beyond expectations for electricity production.
- Maintenance has never exceeded more than 1 hour a year for dusting the panels along with a quick inspection.
- Net metering allowed the condo corporation to sell excess electricity production to the provincial supplier, increasing their savings.

I was not able to locate a similar project in Manitoba. However, that doesn't mean a Manitoba project wouldn't work. For a local analysis of solar power in Manitoba, I strongly encourage interested readers to spend some time at the [Energyhub.org](https://energyhub.org) website. From their site, you'll see that within Canada, southern Manitoba is one of the best locations in Canada.

One caveat of solar energy generation in Manitoba is the low cost of electricity in Manitoba. Manitoba has the 2nd lowest cost for domestic residential electricity. Currently, Manitobans pay about 9.9¢/kWh for residential rates. This low cost means that a break-even point will be much longer than, say, Saskatchewan residents, who pay the highest provincial rate at 18.1¢/kWh.

Continued on page 17



# CCI MANITOBA PROFESSIONAL & BUSINESS PARTNER DIRECTORY



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Continued on page 19

The above list of Professional and Business Partner Members is provided for informational purposes only and does not imply an endorsement by CCI-Manitoba.

## SOLAR POWER AND CONDOS

### Continued from page 15

No one can accurately predict future electricity costs, but it's safe to say electricity costs will increase over time as demand increases. Some experts predict global electricity demand will double by 2050<sup>2</sup>. At the same time, if trends continue, solar panels will be more efficient and less expensive<sup>3</sup>.

Since the development of the first modern solar panel in 1954 at Bell Labs<sup>4</sup>, solar panels have improved significantly. According to EnergySage Founder and CEO, Vikram Aggarwal,

*Prices for solar panels have dropped substantially over the past few decades, leading to a surge in consumer demand that has produced more than one million U.S. installations as of early 2016. In 1956, solar panels cost roughly \$300 per watt. By 1975, that figure had dropped to just over \$100 a watt. Today, a solar panel can cost as little as \$0.50 a watt. Consider this: since the year 1980, solar panel prices have dropped by at least 10 percent every single year. The plummeting cost of solar is largely responsible for the growing popularity of solar and the legitimacy of PV as a reliable energy source in today's world.<sup>5</sup>*

Bruce Mackenzie monitored the electricity production and calculated costs and benefits for the project. A detailed

explanation of his analysis is available in his blog. The project cost \$47,000 and was paid back in monthly installments over five years. The panels generate about 16,000kwh of electricity a year. Bruce estimated that each unit owner paid about \$300 for the project after factoring in the cost savings over the payback period. The project, while still being relatively unique in BC, was considered a success by the unit owners and is a good example of how each of us can play our part in minimizing greenhouse gases. In the end and as Bruce has proven, there is no downside to harnessing the sun's inexhaustible energy in lieu of carbon-intense alternatives. We are all in this together, there is no Planet B to move to; we can all be part of a greener, cleaner planet.

DUANE ROHNE  
CCI Newsletter Committee 🍁

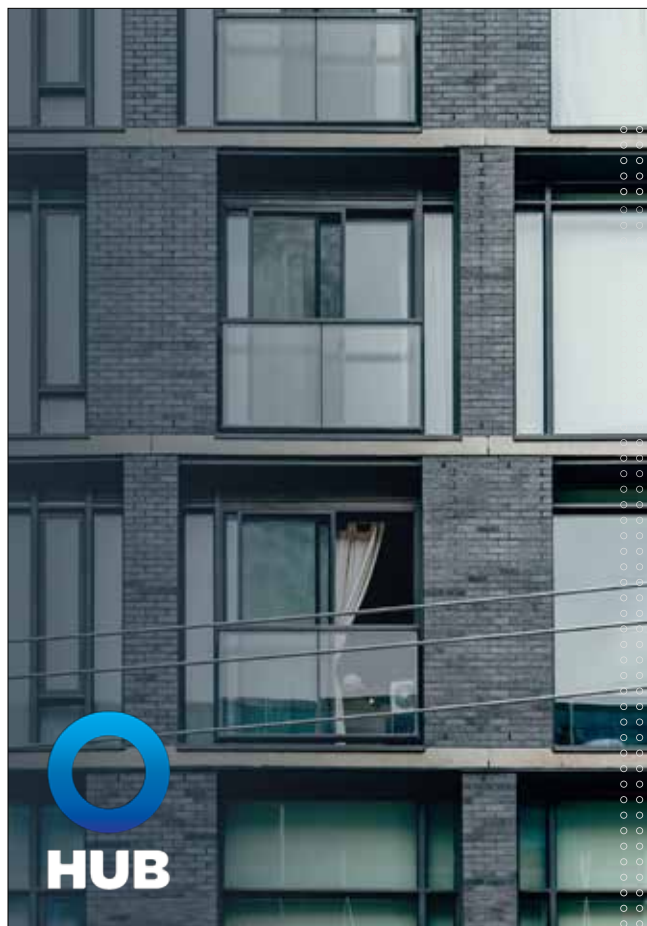
<sup>1</sup> <https://www.bcsea.org/sites/default/files//2016-09-solar-on-your-strata-v1.8.pdf>

<sup>2</sup> <https://www.energylivenews.com/2021/01/18/global-power-consumption-to-almost-double-by-2050/>

<sup>3</sup> <https://news.energysage.com/solar-panel-efficiency-cost-over-time/>

<sup>4</sup> <https://news.energysage.com/the-history-and-invention-of-solar-panel-technology/>

<sup>5</sup> <https://news.energysage.com/the-history-and-invention-of-solar-panel-technology/>



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Continued from page 16

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## CONDO CONVERSATION CORNER: A VIEW & A VOICE

**H**ere are some items concerning previous newsletter articles, Lunch-n-Learns, webinars and *Conversations* in previous Newsletter editions. If you want to contribute to the discussion, you can make a submission to [cci-manitoba.ca/resources/condo-conversation-corner](https://cci-manitoba.ca/resources/condo-conversation-corner).

**Disclaimer** CCI Manitoba is unable to provide specific legal advice. We recommend that you speak to a lawyer regarding the challenges or problems you may be experiencing. For your information, a list of lawyers who are Professional Members of the Manitoba Chapter of the Canadian Condominium.

Note that frequent references are made to Manitoba's Condominium Act (The Act) <https://web2.gov.mb.ca/laws/statutes/2011/c03011e.php>.

### HUMAN RIGHTS AND ACCOMMODATION FOR PERSONS WITH DISABILITIES

We had an inquiry concerning bylaws that unintentionally discriminate against persons with disabilities. For example, a person with a disability:

- requested a different parking spot to make it easier to get into and out of their vehicle but were told that swapping of parking spots was not allowed;
- has an alteration or addition to their deck but were told they had to have it removed.

In relation to the parking example, some CCs have parking as part of the common elements and hence can reassign parking spots. However, in other CCs, the parking may be part of the condo unit itself (physically or otherwise). Therefore, allowing the person to alter their parking area may be the option to choose.

In relation to the second example, alterations or additions can't be made unilaterally to common elements without first communicating with the Board. Similarly, many CCs have restrictions on what can be done to the exterior of units without Board permission. A different course of action may be appropriate depending on the scope of change, whether the deck is part of the unit or the common elements, and whether the change would affect other unit owners.

A few key points to consider

1. The Manitoba Human Rights Code (The Code) takes precedence over The Act. This is a prime situation to consult with your Condo Corporation's (CC) lawyer before making any decisions as a Board.
2. The Code defines discrimination in clause 9(1) and the applicable characteristics of the person complaining about discrimination in 9(2) <https://web2.gov.mb.ca/laws/statutes/ccsm/h175e.php#9>
3. While The Act does allow the legitimate imposition of restrictions through provisions in the declaration, bylaws and rules, the CC may violate The Code and open themselves to a complaint if they fail to make reasonable attempts to accommodate a person with special needs.
4. The Board should always be thinking of reasonable accommodation in regards to issues that could potentially result in a complaint under The Code. Note that this does not mean that the CC is necessarily responsible for costs, in whole or in part.

### OBJECTIONABLE ODOURS

We receive multiple inquiries about objectionable odours relating to second-hand smoke in general and are starting to receive inquiries about cannabis smoke in particular.

There are both health and legal aspects to this issue. Most of us are familiar with the health risks of smoking tobacco and second-hand smoke, but have you heard of third-hand smoke<sup>12</sup>? It is the smoke residue on all surfaces in a dwelling that residents subsequently encounter, especially infants that tend to put things in their mouths a lot. As well, while cannabis is now legal, it is now without health risks too.<sup>34</sup>

Most condo declarations have a clause along the lines of no one on the property shall do anything that interferes with a unit owner's reasonable use, occupation and quiet enjoyment of their unit or the common elements. Some condos have declarations or bylaws or rules specifically prohibiting smoking, perhaps more so in apartment settings and less in townhouses.

Assuming smoking of tobacco or cannabis is not prohibited in your condo corporation, what are the implications for odours that may bother other unit owners? The Government's *Cannabis in Manitoba* website has an FAQ page <https://www.gov.mb.ca/cannabis/faq.html#q8> with the following.

#### **Can I smoke cannabis in my apartment or condo building?**

*The Smoking and Vapour Products Control Act prohibits smoking and vaping cannabis in the common areas of residential buildings (hallways, elevators, stairways, lobbies, etc.), including apartments and condo buildings, but does not regulate whether Manitobans can smoke or vape in their suites. That is up to the property owner or governing board or association. Restrictions on smoking and vaping cannabis in public outdoor places will apply to the property of multiple-unit residential buildings. However, the owner of the building may designate an outdoor area on the property at least 8 metres from the building and any swimming pool where residents of the building may smoke or vape cannabis.*

#### **Can I smoke or vape cannabis on my condo balcony?**

*The Smoking and Vapour Products Control Act does not regulate whether Manitobans can smoke or vape in their suites; that is up to the property owner or governing board or association. A condo or apartment balcony is considered part of a private suite, so rules around cannabis use on a balcony would be dealt with by the building's property owner or governing board or association.*

As well, the Government's Smoking Laws and Enforcement in Manitoba website has an FAQ section <https://www.gov.mb.ca/health/tobacco/laws.html> with the following

#### **I live in a multi-unit dwelling. What can I do if a neighbor's smoke is coming into my home?**

There are no "smoker's rights" in Canadian law but in the absence of a no-smoking policy in your multi-unit dwelling, smokers may smoke inside their units and on their balconies. Smoking is not allowed in a building's common areas in Manitoba. Fortunately, there are still steps you can take to help reduce smoke entering your dwelling.

**Talk to Your Neighbour:** Your smoking neighbour(s) might not realize the discomfort you feel and health concerns you have regarding their second hand smoke coming into your home. They might be willing to do things like close the windows in their unit or change where they smoke or change to another form of cannabis such as edibles, in order to address your concerns.

#### **Seal off Dwellings and Solutions with Ventilation:**

The Canada Mortgage and Housing Corporation has produced a document<sup>5</sup> to help you eliminate odour transfer and minimize air movement between areas in multi-unit dwellings. The document identifies the common pathways for odour and smoke and offers suggestions on how to seal those pathways and demonstrates how to better ventilate your home. It also shows steps that can be taken in consultation with management such as sealing off the



smoker's dwelling and adjusting building ventilation, and pressurizing your apartment.

**Contact Your Landlord:** In order to persuade the landlord to negotiate a solution, it is best to notify your landlord by writing a letter documenting in detail the problem of second hand smoke entering your home and any steps you have taken to resolve the problem. Include details of any health concerns you may be experiencing as a result of the second hand smoke and support it with a letter from your physician if possible. Documenting the problem and showing you've tried to work towards a solution can also be used to persuade the landlord to break the lease if no other solution can be found.

**Further Action:** If smoking in the multi-unit dwelling breaches a no smoking policy or if the smoking is to an extent that causes you to not be able to reasonably enjoy your living situation, you can appeal through the Residential Tenancies Branch in Manitoba<sup>5</sup>.

So if you are being bothered by second-hand cigarette smoke or cannabis smoke in your condo, you do have some recourse, but keep in mind that there are no "condo police". Pursuing legal action is always an option, albeit an expensive one - there is some odour and smoking-related case law <https://condocases.ca>. If the problem is serious enough and can't be resolved, the last resort would be to move out of your unit.

### CONDO REGULATORY AUTHORITY (AKA CONDO POLICE)

Sadly, we receive a regular stream of questions along the lines of "What does a unit owner do if their condo board has become a clique or corrupt or incompetent or uneducated or just not willing or unable to make the difficult decisions?". Currently, Manitoba does not have any "condo police" - is it time that we should have someone to go to for our concerns?

Our neighbours to the east have the Condo Authority of Ontario (CAO) aka "condo police" <https://www.condoauthorityontario.ca/> for a few years now, with prescribed forms, policies and procedures, along with mandatory education for condo board directors and free online courses to meet the requirements. As well they have a Condominium Authority Tribunal (CAT) process for resolving disputes <https://www.condoauthorityontario.ca/tribunal/>. The CAT process can be done online and at a very reasonable cost.

To pay for the CAO budget, they collect \$1 per unit per month from all condo unit owners, which translates to an annual budget of about \$9M for a condo market of about 10x the size of Manitoba's market. We could do something similar, perhaps at a cost of \$2-3 per unit per month, but should we? The old adage "be careful what you ask for because you might get it" comes to mind. There certainly would be advantages to having a regulatory authority here, but what would the disadvantages be? What are your thoughts?

### MISCELLANEOUS Q&A

Here is just a sampling of some of the inquiries we regularly receive. For reference, here is a link to the Condo Act of Manitoba <https://www.gov.mb.ca/condo/> (The Act).

**Q:** Regarding requests for a special general meeting (SGM), how many owners are required for the request to be granted and how much notice is required?

**A:** Sections 110-199 of The Act deal with meetings. In particular,

#### **Special general meeting requested by unit owners:**

114(1) A unit owner may request that a special general meeting be held by giving the condominium corporation a written request signed by those unit owners entitled to vote who, at the time of the request, own at least 25% of the units.

#### **Board receives request for special general meeting:**

115(1) Upon receiving a request for a special general meeting, a board must (a) call and hold the special general meeting within 35 days; or ...

**Meeting Notice:** 116(2) indicates that minimum 30 days notice is required if the meeting deals with matters requiring

written consent while 116(3) indicates that the by-laws may indicate a longer notice period but not less.

**Note:** if the meeting is not dealing with matters requiring written consent, consult your by-laws for notice requirements.

**Q:** How can a condo corporation protect its interest and not get scammed when getting work done or not getting the work done they thought they requested?

**A:** The easiest answer is to engage a professional property manager but beyond that have a look at the idea of using a statement of work (SOW) or a request for proposal (RFP), which was discussed in the Summer 2021 edition on page 21 <https://cci-manitoba.ca/sites/default/uploads/files/CCI-MB-Newsletter-2021-Summer-Final.pdf>

**Q:** What is a bareland condo and what are the respective responsibilities of the condo corporation and the unit owner?

**A:** Section 1 of The Act includes the following definition

*"bare land unit" means a unit defined by the delineation of its horizontal boundaries on a plan and without reference to any buildings, structures or fixtures on the plan.*

As well, sections 12-18 provide requirements for the Declaration and mentions "bare land" in several clauses. The Declaration for the condo corporation would provide the details on the respective responsibilities of the condo corporation and the unit owner.

**Q:** Can you explain "quorum requirements, proxies, requirements for meeting notices and minutes...?"

**A:** Here are a few links answering common questions like these? Note that the authors are in Ontario, and hence you need to consider the differences in the provincial condo acts and regulations.

<https://ontcondolaw.com/2021/08/09/condo-lingo-common-errors-and-misconceptions/>

<https://ontcondolaw.com/2021/08/17/condo-lingo-common-errors-and-misconceptions-part-2/>

<http://condoadviser.ca/2021/08/how-detailed-must-your-board-meeting-minutes-be/condo-law-blog-Ontario>

**Q:** How to clarify and clean up a confusing declaration?

**A:** Ask your property manager for advice, if you have one. Discuss with your condo board and form a committee to review and update your declaration (and bylaws). Once you know what sections and clauses you want to update, it would be good to have an initial consultation with your lawyer so you avoid going in the wrong direction for the changes you want to pursue. Also, that initial consultation will allow you to be more informed about put together a reasonable budget.

Note that changes to your declaration require written consent from the unit owners. Sections 22-25 of The Act deal with amending the declaration <https://web2.gov.mb.ca/laws/statutes/2011/c03011e.php#A22> and The Act defines "specified percentage" in section 1 <https://web2.gov.mb.ca/laws/statutes/2011/c03011e.php#A1>.

*"specified percentage" (a) in relation to a requirement in this Act for the written consent of unit owners for any matter, means 80% or, if a greater percentage is specified in the declaration for that matter, that percentage specified in the declaration; ...*

### CCI MB NEWSLETTER COMMITTEE 🍀

<sup>1</sup> <https://www.mayoclinic.org/healthy-lifestyle/adult-health/expert-answers/third-hand-smoke/faq-20057791>

<sup>2</sup> <https://www.neha.org/eh-topics/air-quality-0/third-hand-smoke>

<sup>3</sup> <https://www.cdc.gov/marijuana/health-effects/second-hand-smoke.html>

<sup>4</sup> <https://www.cdc.gov/marijuana/health-effects/index.html>

<sup>5</sup> <http://smokefreehousingon.ca/wp-content/uploads/2015/11/odour-problems-cmhc.pdf>

<sup>6</sup> <https://www.gov.mb.ca/cca/rtb/>



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