

Habitat for Humanity Saskatchewan

2024



Condo Living & Sharing Space



Table of Contents

Condominium Association.....	3
Condominium Board.....	3
Board Positions	4
What Constitutes an Effective Condo Board?.....	4
How are Condominium Directors elected?	4
Voting Rights	4
Proxies.....	5
Voting Method.....	5
Quorum	5
Meetings, By-laws, and Policies	5
Board Meetings.....	5
Notices of Meetings	5
Annual General Meetings (AGM)	6
AGM Agenda Items	6
Condo Bylaws	6
Violation of By-Laws.....	6
Condo Policies	7
Common Property, Insurance, and Fees	7
Common Property	7
Condo Insurance	7
Condo Fees	7
Reserve Fund.....	8
Property Management.....	8
Property Management Roles.....	8
Some of the roles of a Property Management company may include:.....	8
Contacting Property Management Versus Habitat Saskatchewan.....	9
Sharing Space in a Condominium Complex	10
Being Mindful	10
Challenges	10
.....	10
Moving Into Your Condominium Complex.....	10

Condominium Association

When you live in a condominium either by renting or owning the unit, you are automatically a part of the condominium association, the group that governs the Condominium community. Simply put, a condominium association is a legal organization of homeowners in a condominium project who work together to maintain their property values and the quality of their neighborhood.

The homeowners within the condominium complex elect, from amongst themselves, a board of directors to oversee the day-to-day business of the association and enforce the by-laws, policies, finances, and maintenance. As these board members are volunteers who gain no compensation and managing a condo association can be a full-time job, many boards will contract a professional property management company to assist in these responsibilities. A property manager will work as a partner with the board to take on daily operations such as monthly condo fee collection, contract negotiation, and maintenance coordination. This division of work allows a condo association to run efficiently and successfully.

Membership to the condominium association is mandatory as a condition of the purchase of a unit in the development. With this membership, homeowners are required to abide by the community's covenants, conditions, and restrictions, and pay the dues (condo fees) established within them.

These condominium fees go towards a wide variety of things in a condominium association. The association is responsible for the maintenance and replacement of all general common elements. General common elements, which are used by every unit owner, include sidewalks, parking lots, roofs, fencing, amenity areas, and verandahs. Collected dues also cover legal, accounting, landscaping, outside maintenance, insurance, common utilities, and management fees.

Unit owners are responsible for the inside of their unit, their verandah or front steps, and backyard area.

When run appropriately, a condominium association can flourish and provide a wonderful environment in which to live.



Condominium Board

What is a Condominium Board of Directors? The board of directors (also known as the board) is a group of individuals that run the condominium corporation. Board members are usually elected each year by the unit owners. Anyone who owns a unit is generally eligible to run for a position on the board of directors.

The board of directors and property management company work together and are focused on the following:

1. Planning and overseeing the fiscal health of the corporation.
2. Paying invoices.
3. Keeping records of management, maintenance, etc.
4. Preparing a budget.
5. Awarding contracts through a tendering process.
6. Insuring the condominium.
7. Managing reserve funds.
8. Maintaining status certificates.
9. Addressing residents' complaints.
10. Meeting the needs and rights of residents.

11. Ensuring people live peacefully in accordance with the Condominium Act.
12. Communicating with residents about condo updates and news.

Board Positions

If you are interested in participating on your Condo Board, here are potential positions:

- **President** – this person oversees the business and affairs of a Condo Corporation
- **Vice President** – this person is the secondary position to the President
- **Treasurer** – this officer manages the finances of a Condo
- **Secretary** – this person is the custodian of the Condo's records
- **Member at large** – planning and overseeing the yearly health of the Corporation

What Constitutes an Effective Condo Board?

An effective Condo Board will work with the Property Management Company ensure the following:

- Clear communication with owners and residents regarding decisions, problems, and maintenance projects.
- Transparency with its policies.
- Regular information meetings are held.
- Residents' complaints/concerns/requests are handled in a timely manner.
- Useful suggestions from residents are acted upon.
- Condo rules are enforced.
- All residents and owners are treated equitably.
- All rules are followed.
- Due diligence regarding contracts for repairs, maintenance, and staffing.
- No conflicts of interest for tenders and maintenance service providers.
- Proper management of a condo's finances, assets, and owners' monies.

How are Condominium Directors elected?

Board vacancies are often first filled with a temporary director who is assigned by the remaining directors. This is done to help maintain the balance for votes until the next annual general meeting. At the next meeting, new directors can voice their interest to be elected.

Often a special meeting is called so a new director can be elected. Condo resident owners can elect a director for a term stated in the by-laws.



Voting Rights

Condo owners will be allowed to vote at an Annual General Meeting ("AGM") so long as they are entitled to vote at the meeting and are present to vote in person or by proxy. The right to vote can be lost if amounts are owing for common expenses. Only one vote is allowed per unit, so if the condo owner co-owns a unit with one or more other persons, the vote must represent the majority of the owners of the unit. If the owners of a unit are evenly divided on how to vote, their vote will not be counted.

In some condominiums, parking spaces or storage lockers are considered "units." No vote is allowed in respect of such a unit unless all the units in the corporation are used for such purposes.

A right to vote at a meeting can be done by way of a **proxy**.

Proxies

A **proxy** is the authority to represent someone else, especially in voting. A proxy identifies someone else who will vote on the person's behalf. A proxy might be used if someone wants to vote on an issue but is unable to attend the meeting in person. A proxy must be in writing and must be signed by the person granting the proxy.

Voting Method

Votes may be cast by:

- a show of hands, personally or by proxy; or
- a recorded vote that is,
 - marked on a ballot cast personally or by a proxy,
 - marked on an instrument appointing a proxy, or
 - indicated by telephone or electronic means if the by-laws so permit. Condo owners now have the right to keep the content of their votes secret. Under certain conditions, a condo corporation can pass a by-law to amend or repeal this right.

Quorum

Quorum is the minimum number of owners that are required by law to be present for the meeting, either in person or by proxy. If there is no quorum, there can still be a discussion on a matter, but no vote can take place at the meeting. Not having a sufficient number of owners at the meeting can affect the management of your condominium corporation, as decisions will be delayed until another meeting can be called.

The standard quorum for an AGM is when owners who own 25% of the units in the condo corporation are present. If quorum is not reached on the first two attempts to hold the AGM, the quorum is reduced to 15% on the third and on any subsequent attempts.



Meetings, By-laws, and Policies

Board Meetings

Board meetings are usually held quarterly with all directors required to attend. Property Managers may also attend to present important information and receive direction. These meetings are used to review issues and vote on decisions. Motions (suggestions or requests) are made, must be seconded, and then voted upon.

The board members each have one vote, and a majority carries. If a board member feels decisions are made without due diligence or in bad faith, their objection or negative vote can be recorded in the minutes. Minutes from the meetings are then made available for owners to review.

As you can see there is much time and effort required for the Board of Directors in a condo corporation. Careful consideration should be given before voicing your interest in candidacy.

Notices of Meetings

The notice of the meeting itself must be in writing and given at least 15 days prior to the day of the meeting. This notice of meeting will include the date, time, and place of the meeting. It must also identify the business to be transacted or voted on. For example, if changes are proposed to the declaration, by-laws, or rules, this must be mentioned in the notice, as well as a copy of the changes.

The corporation sends the preliminary notice and the notice of meeting to all owners.

Annual General Meetings (AGM)

The Annual General Meeting (“AGM”) is one of the main ways to help ensure accountability of the board of directors to the owners.

At the AGM, the board reports to owners on matters such as the financial health of the corporation. Attendees discuss important aspects of condominium corporation management, any upcoming major repairs or renovations, as well as litigation involving the corporation. The AGM also gives owners the opportunity to discuss matters that are relevant to the business of the condominium corporation, and members the opportunity to ask questions or raise concerns.

AGM Agenda Items

At an AGM, the following items are typically on the agenda:

- Approval of the minutes of the previous AGM.
- Review of year-end audited financial reports (the auditor may be at the meeting to report to owners about the financial health and operations of the corporation).
- Selection of the corporation’s auditor for the next fiscal year.
- Report of the board of directors regarding matters like past performance, major upcoming projects (e.g., repairs or renovations), potential by-law changes, and ongoing issues.
- Election of any new directors.
- The AGM also provides an opportunity for owners to ask the board questions regarding the operation of the corporation.

Condo Bylaws

What are Condo Bylaws? The by-laws set out various key aspects of how the condo corporation will govern itself such as the number of directors on the board, board meeting procedures, and how the affairs of the condo corporation are generally conducted. The by-laws can be considered the administrative guide for the condo corporation.

Here are some examples of Condo rules:

- An owner shall not cause a nuisance or hazard to any other owner or occupant or unreasonably interfere with the use of the condominium by others.
- An owner shall not allow open flames within 3 feet of any exterior walls at any time, including the operation of BBQs.
- An owner shall not use their unit for a purpose that is illegal.
- An owner shall not make undue noise in or on their unit or on the common property and must abide by the city noise bylaw.
- An owner shall not install anything on common property including satellite dishes and hang or place anything that is aesthetically displeasing in the board’s opinion when viewed from outside of the unit.
- An owner shall not obstruct a sidewalk, walkway, passage, driveway, or parking area other than for entering or leaving your unit.
- An owner shall follow all parking bylaws as described.

Violation of By-Laws

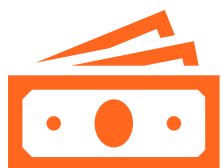
If a homeowner is in violation of the by-laws, the condo corporation has the right to enforce a fine on the homeowner and take proceedings to small claims court.

Condo Policies

If your condo association has policies in place, they will be given to you with your condo by-laws.

Policies may outline the following:

1. How to make a complaint or file a grievance.
2. Parking rules.
3. Garbage and Recycling understanding.
4. Outside Maintenance.
5. Pets.
6. Exterior lighting and decorations.
7. Cannabis usage.
8. Common Property understanding.
9. Warning letters and fines.



Common Property, Insurance, and Fees

Common Property

In condominium projects, shared spaces such as landscaping, amenity areas, playgrounds, backyards, roofs, parking lots, and walkways are considered common property. These are jointly owned spaces and maintenance of these areas is the responsibility of the Board of Directors.

Condo Insurance

Your condo corporation may have taken out an insurance policy to cover the property, buildings, and common areas you share with your neighbours. Still, that's only part of the insurance you'll need for your home.

Your condo insurance plan will take care of:

- **Your belongings:** you choose your amount of coverage required to replace your clothes, personal appliance, furniture, tv, computer and more.
- **Your yard:** your policy covers any private outdoor space as part of your condo unit such as balcony, patio, or deck.
- **Liability:** your legal responsibility. Your policy will help if someone is injured on your property, or you cause damage to another person or their property.

Condo Fees

The term condominium fee refers to a mandatory monthly fee paid by every homeowner who lives in a condominium to cover ongoing maintenance costs and other monthly/annual expenses.

Generally, condo fees contribute to your reserve fund and pay for outside common area maintenance, basic operation of your building's common areas, property management company costs, garbage and recycling removal, snow removal, any repairs to common elements, and common area utilities. Your condo fees could range anywhere from \$200 - \$250 per month.

Reserve Fund

Every month, a portion of your condo fees is contributed to the building's reserve fund. The reserve fund is a mandatory fund that all buildings must have, as per the Condominium Act. The fund acts as an emergency savings account for the building and covers replacement and unexpected repairs as needed. Regular maintenance and repairs are covered by the regular budget, which you also contribute to each month.

A reserve fund study is a report that assists condominium corporations in understanding what they own, how much money they have, the timing of potential replacements, future costs, and how to pay for the replacements when they are due. This study also suggests how much should be allocated to the fund each month.

Property Management

Property Management Roles

Effective condominium management has many facets, from basic property maintenance and upkeep to complicated legal and financial management services that require specific skill sets.

Some of the roles of a Property Management company may include:

Fee collection - Including collecting monthly condominium fees, levies, fines, miscellaneous charges, delinquent accounts, as well as depositing all funds to the condominium trust accounts.

Meetings - Organization and attendance at all general meetings and board meetings, preparation and distribution of all minutes and agendas.

Site management - Regular property inspections with reports to the board, supervision of on-site staff, and assistance with bylaw rule enforcement and protocol.

Repairs and maintenance - Contract administration, tendering process for repairs, maintenance, and grounds-keeping services for common spaces.

Emergency services - 24-hour emergency service for all owners. At the owner's expense.

Financial records and transactions - Record keeping of all payables and receivables, payroll services, employee bonding, operating budgets, schedules of fees, and monthly financial statements.

Financial Planning - Assistance in budgeting, capital expenditure planning, and reserve fund requirements.

Legal Records - Act as the registered office for the condominium corporation, including legal documents, estoppel certificates, minute books, registers, and financial records.

Insurance - Ensure all insurance requirements for the complex are met, including Officers and Directors liability insurance, and asking for proof of insurance or clearance letters from WCB on all contractors.

Personal service - Open communication matters to both owners and tenants. They will answer any questions and keep everyone informed. We always respond to clients' questions and requests within one business day.

Condo Board Education and Mentoring - If you would like to participate on your condo board, but need training and education, your property management team is happy to provide you with the tools and training to educate yourself for this role.

Please keep in mind - that not every Condo Corporation has a Property Management Company that works with them to manage all things for the condo complex.

Having a Property Management Company involved means that the homeowners pay for that service every month as a part of their condo fee payment. Therefore, this type of service every month could raise your condo fees but is worth having to help keep things in order.

Make sure to find out if the condo complex you are living in or that you will be moving into has a Property Management Company working with the Condo Corporation there or not.

Contacting Property Management Versus Habitat Saskatchewan

Habitat Saskatchewan homeowners often get confused on when they should contact the property management company and when they should contact us regarding issues, payments, etc.

A Habitat homeowner would **contact Habitat** for the following reasons:

1. Anything to do with your monthly payment of mortgage and property taxes.
2. Supplying your annual income information.
3. Supplying your home insurance information.
4. Changes to your family dynamic.
5. If you want to sell your home.
6. Mortgage agreement questions.
7. If you know of someone who is interested in our Homeownership Program.
8. New home warranty issues.
9. Volunteer hours.

A Habitat homeowners would **contact the property management company** that looks after your condominium complex for the following reasons:

1. If you are having issues with your neighbour.
2. Anything to do with your condominium fees or reserve fund.
3. Garbage and recycling issues.
4. Parking lot issues.
5. Anything to do with the common property outside of your unit.
6. Issues or question regarding outside grounds maintenance.
7. Anything to do with the condominium by-laws or policies (you can get a copy from them if need be).
8. Anything to do with a fine.
9. Questions and education regarding the condominium corporation or participating on the condominium board.
10. Vandalism.

****Please keep in mind that if you call your property management company because you are having an issue with something (like your furnace or sump pump), they can work with you in getting a contractor/vendor to help your situation, but **you will be responsible to pay for the services performed by the contractor/vendor as you are the homeowner.** ****



Sharing Space in a Condominium Complex

Being Mindful

Short for condominium, a condo is a type of home that has common areas that are shared among a community of owners and shared walls. It is important to remember that when you live in a condo, you are living in close quarters to other people (your neighbours). You need to be aware of the challenges that come with that and be mindful of the people living around you.

Challenges

It is important to be aware of what challenges may arise and how to mitigate or manage them. Before you contact your property management company, you need to think about ways that you can manage your own challenges with your neighbour. As the homeowner, you no longer have a landlord who manages issues on your behalf, unless you are renting the property from Habitat Saskatchewan. Therefore, get to know your neighbours and build relationships with them. Challenges and will be easier to resolve when you have a foundation for good and open communication.



Moving Into Your Condominium Complex

Please make note of these things either before or after you move into your condo complex:

1. Find out if there is a property management company working for your condo association and who they are.
2. Look over and familiarize yourself with the by-laws and policies of your condo association.
3. Find out if a condo board has been developed and if you want to be a part of the board.
4. If you have any questions regarding the materials in this booklet or the by-laws and policies, contact Habitat Family Services, the property management company.