



Condo Connection

Wilson, Blanchard – *Condominium Management with Experience and Integrity*
www.wilsonblanchard.com

The WB Condo Connection highlights Ontario condominium related articles and educational items that may be of interest to Boards of Directors and condo owners. It is published online and available on our website (www.wilsonblanchard.com) as well as in hard copy format to each of the members of our Boards of Directors.

We hope you enjoy this edition and we welcome your comments, suggestions or article topic requests by email to newsletter.editor@wilsonblanchard.com or by mail to:

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Condo Act Review

By Dean McCabe, RCM, ACCI
Vice President – Operations

The Ministry of Consumer Affairs recently announced the opening of public consultations to review the Condominium Act, 1998. Wilson, Blanchard is pleased with the government's desire and willingness to work with all industry representatives and believes working in close cooperation and collaboration with government will achieve the best results for all parties.

The review will directly engage the entire condominium community, including owners, residents, developers and property managers. Members of the condominium community will have the opportunity to speak about their issues,

hear the concerns of others and work together to develop solutions. Details of the public engagement process and information about how to participate will be announced this summer.

ACMO and CCI are also excited to be part of the process for revising the Condominium Act and ensuring that it meets the needs of our industry.

We encourage all of those who work and live in this industry to review the Legislative brief that is available at www.acmo.org and provide comments or feedback on specific issues that you feel can be improved.

The time to do this is now so that all of your good ideas can be considered for recommendation to the Government this fall.

Is Your Chiller Legal?

By Mike Mullen, B.A., R.C.M.
Director of Property Management, Hamilton

Effective January 1, 2012 the Ontario Ministry of the Environment made changes to regulation O.Reg 463/10). This regulation governs large refrigeration equipment and chillers.

The purpose of the changes to the regulations are to phase out the use of Chlorofluorocarbons, more commonly known as CFCs. CFCs are most common in the air conditioning field as R11 and R12. The phase out actually started in Ontario in 1995 and R11 was no longer being produced as of 1996. Since this date, contractors were reclaiming and recovering the gas to keep systems operational.

No one can use large refrigeration equipment with one or more compressors with a total capacity of more than 22kw or use a chiller which holds refrigerant containing CFCs. There are no exemptions under this regulation. The changes made are being made to protect the ozone and the environment. In fact on July 1,

Hair for Kids Donation

After 11 years growing her hair, Jackey Kilpatrick from our Hamilton office decided that if she could raise \$1,000, she would chop it off in support of the Canadian Cancer Society and the Hair for Kids Program.

On June 19, Ray Wilson, President of Wilson, Blanchard Management did the honours and Jackey donated 16 inches of her hair and \$2,131.34 to these great causes.

Congratulations Jackey!!

2012 R11 is now listed as a hazardous waste.

Many of today's systems run on R123. This gas however is also expected to be phased out starting in 2020 and there will be a reclaiming and recovery effort to keep the systems running for 10 years following this date.

The new systems that are being installed today are running on HydroFlouroCarbons or HFCs. A common type of HFC is R134A or 410A. An average chiller that is maintained properly can have a life expectancy of approximately 23 years.

If you have any questions or concerns regarding your chiller and the type of gas being used, consult your Heating and Air Conditioning Contractor for clarification. Persons who operate contrary to the regulation could be fined or thrown in jail. This includes members of the Board of Directors or the Air Conditioning Service Company.



Hoarders – Not Just a TV Show

Hoarding is the act of collecting items in an obsessive manner. This obsession is becoming an increasing problem in condo communities as it leads to both health and fire safety concerns. Below are accounts from two of our property managers about this issue – names and locations have been withheld for the protection of owner's legal rights.

One of the most difficult issues my Board has dealt with is a unit owner who has progressively gone downhill and the state of the unit interior and exterior is becoming a health issue and hazard for others in the community.

There was a fair amount of conflicting information when the Board sought legal advice on the best method of handling the issue. Involve the fire department or don't involve the fire department, seek help from the local health unit, use only the Corporation's documents for enforcement, or use a combination of all three?

Compounding the issue is the fact that you are not only dealing with someone's home and personal possessions, there is also a possibility of mental health issues. Boards are faced with the obligation to enforce compliance of the Corporation's documents with someone who might not have the capacity to understand the consequences of their actions.

The personal aspect of this issue has been the hardest for the Board to come to terms with, balancing the rights of other owners to a safe and healthy home environment, with the fact that their decisions may possibly force someone from their home.

The Board mandated enforcement through legal remedies, issuing compliance letters to clean up both the garage and back yard, and then went

back to the fire department with the Fire Marshall's directive to investigate all complaints of hoarders as a fire risk, which came from the FMO's report in Toronto. The fire department agreed to investigate and they have also contacted the local mental health clinic to assist the owner in this process.

I wish I could say that it ended well, but we are still in the process of beginning the clean up and as all costs associated with this matter are charged back to the unit owner, the Board will be beginning the process of power of sale proceedings.

Upon entry to a particular unit for a major repair, it was found that the staircase was so cluttered it was almost impossible for the contractors to get upstairs. When they finally got into the main living portion of the unit it was discovered that there were boxes and clothing strewn about. The kitchen was a disaster – there were mice and droppings throughout the sink and counter and both food and garbage was left out in the open.

I informed the board and also contacted legal counsel and was told that I could try the Fire Department. The Fire Department tried on numerous occasions to gain access to the unit but to no avail as the owner always had an excuse as to why they could not enter. After being given an ultimatum, the owner finally allowed entry to the Fire Department. Items that were found included boxes against the baseboard heaters, items stored in front of the fireplace, items stored on top of the stove and there were no working smoke or carbon monoxide detectors. The Fire Department installed these items free of charge however because of electrical issues they turned off the outside power to the unit as well as red flagged the unit at the Fire Department.

The owner was given 30 days to clean up,

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however the excuses for not entering started all over again until the Fire Department finally washed their hands of this and turned the issue back to the condo corporation's corner. The Board requested a letter be issued to the unit owner as a final notice requesting the property manager be allowed access to the unit. Three days before entry was to be made the appointment was cancelled by the owner. A new appointment was set up and on the day of the access the appointment was cancelled again. The Board has now decided that if the owner does not allow access they will take legal action and all expenses will be charged back to the unit.

Welcome!

Wilson, Blanchard would like to welcome our newest managed properties:

- Halton Condominium Corporation #134
- Fairwood Place West
- Halton Condominium Corporation #160
- Toronto Standard Condominium Corporation #2150
- Oxford Condominium Corporation #28
- Halton Standard Condominium Corporation #550
- Halton Common Elements Condominium Corporation #598



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