



Condo Connection

Wilson, Blanchard Management Inc. – *Condominium Management with Experience and Integrity*
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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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Landscaping

By Tracy Brisco, RCM
Property Manager - Hamilton

If there is any one part of the common elements that will occupy much of the Board and Property Manager's time these next few months, it is landscaping. The appearance of your community is often perceived as a direct reflection of your residents and the people responsible for maintaining the property, meaning the Board of Directors and the property management firm.

Why is it so important that landscaping be a main concern? Beautification efforts put forth on behalf of a condominium is the most observable indication that a community is sought-after and thriving.

Look at your site with the eyes of a potential purchaser or a visitor to your home. What is the first thing they notice? We know it is not your well managed reserve fund. It is the appearance of the shrubs, trees, grass and well maintained attractive walkways and driveways.

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Now that being said, if you have structural issues within your community, you need to focus more on the building and property issues but keeping curb appeal as a part of your overall refurbishment project, after the major issues have been addressed.

The pesticide ban has made maintaining an attractive relatively weed free space all the more challenging. Many communities are struggling with increased weed growth and the confusion of the residents on why they can buy products in the store, and yet your landscape contractors can not apply it commercially.

Although there are environmentally friendly products available, their use needs to be a part of a whole site approach to lawn care and are often used hand in hand with other landscape projects, such as twice a year over seeding and aeration.

Have your landscape contractor contribute an article for your community newsletter explaining the pesticide ban and the strategies you have put in place with them for weed control.

I often joke with my sites that have irrigation systems that we are soon going to look like Florida with all the crab grass, and think of the money we'll save on water and waste water charges since it always stays green! Think of the positives, I know crab grass is not a positive, but it does allow you to focus on the area and think outside the box. You may consider reducing the long strips of grass, break up the weedy areas with some new gardens or shrub beds.

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Speaking of irrigation systems, does your site have one? Consider an irrigation audit to determine the site's needs according to soil conditions and plant material. One community discovered through an audit that they were overwatering the site with its every other day watering schedule and possibly helped the weeds to further take root in an unhealthy lawn.

You also need to allow the residents to take ownership of the property and involve them as much as possible in the landscaping decisions. Having a community involved landscape approach can help save the corporation money and you will often see more owners take pride in the appearance of your community. You will never get the "buy in" of all owners, as some have purchased a condominium for the lifestyle of not having to maintain the exterior grounds and property, and they must also be respected for that choice.

Educate and communicate with your homeowners, put together a multi-year landscape plan, let them contribute ideas and bring them into the process. As with all decisions, you are not pleasing everyone, but be creative and try to think outside the box and focus on curb appeal as one way of managing weed growth pesticide free.

Annual General Meetings: A Guide

By: Angela Bandiera
Property Manager- Hamilton

An Annual General Meeting, commonly referred to as an AGM, is a formal meeting which is held once a year. The Act provides corporations must have an AGM as it provides a formal opportunity for a review of the corporation's financial year and to address business such as the election of board members, appointment of the auditor, etc. Each corporation will have a section in the Declaration which deals with meetings of the owners that provides guidance as to how the AGM should be run and although it is a formal meeting, it is also a great opportunity to communicate with unit owners, what has transpired over the past year relative to the corporation.

Timing: Each corporation will find all requirements as to when their AGM should take place. The Act states that AGM's must be scheduled and held within six months after the end of your financial year when accounts have been audited.

Board Nominations: Your Organizational By-law will also give guidance on electing board members and the required number for your corporation. Since the names of candidates interested in putting their names forward for a position on the board must be included in the notice, it is necessary to ask for nominations before the AGM, through a Directors Call Notice which should be sent to all unit owners at least 30 days before the date of the AGM. Check whether your by-laws have restrictions with respect to who can stand as a board member in addition to those already provided in the Act.

Publicity and Invitations: The Condominium Act also states the required number of days to give advance notice of the AGM as fifteen. That does not include the date the notice is mailed or the date of the meeting. In other words, fifteen clear days and your Declaration may state the form(s) in which the notice may be distributed. The AGM Package must include a copy of the agenda, any previous AGM minutes, the Year End Financial Report, names of any candidates for a position on the board, and any other pertinent information relative to the meeting such as passing of a by-law or any other items that require a vote of the owners. Board members should attend, as well as the auditor for the corporation and any other guests that may be presenting up coming projects or information.

Venue: The venue should be as accessible as possible. Try to find out beforehand if attendees have particular requirements, e.g. wheelchair access, translation services. It is useful if the venue has a microphone.

Running the AGM: The AGM is normally conducted by the Chair of the Corporation as spelled out in the Organizational By-law. Minutes of the meeting should be taken by the Secretary of the corporation or an independent secretary. The AGM agenda should be followed as closely as possible to avoid any unforeseen disruption. Registration must take place as the unit owners are arriving to ensure everyone in attendance has been accounted for and quorum has been achieved.

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If quorum requirements are not specifically addressed in the Organizational by-law then quorum is twenty-five percent of the units of the corporation. The meeting should begin on time as indicated on the AGM package. You do not want the owners to feel as though their time is not important by holding up the meeting while waiting to achieve quorum. It is reasonable to wait 15 minutes after the designated start time and if quorum has still not been achieved then the meeting should be cancelled or discussions could take place among those in attendance that do not require a vote.

Minutes / Matters Arising: Matters arising from the minutes should be taken in the order they appear. In some cases the Chair may ask that matters arising be dealt with during the course of the meeting. The minutes of the previous AGM should be formally adopted by a motion, a seconder and a vote of those in attendance. Detailed information should be recorded in the minutes while avoiding a verbatim accounting.

Presentation of Annual Financial Report: The annual financial report gives an overview of the main financial transactions of the past year, is approved by the board of directors and should be presented at the AGM by the author of the report, the Auditor. The Auditors prepare the report and are really the only individuals who have a thorough understanding of the content. The audit must be undertaken by a registered auditor i.e. someone who is a member of a professional organization that registers auditors unless the corporation is comprised of less than 25 units in which case if 100% of the owners are in favour and provide their consent in writing, the audit may be waived.

Appointment of Auditors: The auditor is appointed by the owners at the AGM. The existing auditor may be re-appointed or proposals may be presented for a decision of the owners if a change is required.

Election of Board Members: The Act provides that directors will be elected for a term of no more than three years unless the corporation's Organizational by-law provides for a lesser term. Any unit owner who meets the criteria and wishes to stand for a position at the AGM does not need to be in attendance but must be nominated at the meeting. The individual will then be required to accept the nomination and if elected and not in attendance provide written acceptance within ten days of the meeting.

Voting Procedure: The Act identifies who is eligible to vote at the AGM. If the Declaration does not provide clear guidance on what to do in the event of a tie, then it is usual practice to conduct a second vote so it is crucial to ensure a second set of ballots is available. The existing Board members need to be clear about voting procedures as laid out by the Declaration before attending the AGM.

Motions to be put to the AGM: Any Motion for consideration at an AGM should usually be submitted to the Corporation well in advance of the AGM, so that it can be included in the Notice of the AGM. Unless an item appears on the agenda to be voted on at the AGM, a vote cannot be conducted. Voting may be undertaken by ballot or by a show of hands. Or, in an effort to determine the level of interest the owners have in a specific project, the Board may request a "straw vote" by a show of hands.

New Business: The Annual General Meeting is a meeting of the owners and as such is their opportunity to raise subjects relative to their Corporation. Although owners cannot be restricted with the topics they wish to raise relative the Corporation, in consideration of time, it sometimes becomes necessary to limit owners to one question each or to implement a time limit for each topic. The AGM is a useful opportunity for those who are involved with, or interested in your Corporation to have their say.

Conclusion of Business: The meeting is formally brought to a close by the Chair.

17th Annual Condominium Conference

By: Tracy Brisco, RCM
Property Manager- Hamilton

Save the date! In your Board packages over the next few months you should be receiving information on the upcoming CCI-T/ACMO Condominium Conference to be held on November 15 and 16, 2013.

One item addressed by the panel reviewing the Condominium Act was increased and/or mandatory education sessions for members of condominium Board of Directors.

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Conferences and seminars are one way you can obtain information, stay up to date, and find new ways of dealing with sometimes thorny issues.

November's preliminary conference program lists topics dealing with communication, and difficult people and conversations, reserve fund studies, insurance, human rights, tips on how to address nuisance issues, such as pet issues and noise complaints.

In the next issue....

Keep an eye out for:

Emergency plans – Are you ready? – By Dean McCabe

Special Announcements!

Congratulations to our very own, Olsi Cami, for receiving his RCM designation. Good work Olsi!

Welcome!

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

- W.S.C.C. 387
- Boutique Shared Facility
- T.S.C.C. 1663
- W.S.C.C. 443
- H.S.C.C. 449
- P.C.C. 414



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