



## Creating a Career Path for Condo Managers

By Angel-Marie Reiner

If you take a moment to research job fairs or review the career paths that guidance counselors share with high-school students, you would be hard-pressed to find much on the topic of property management. Instead, it's often described as an addition to the "main event," such as real estate agent or asset manager.

Condos across Canada need more property managers in the field. Unfortunately, there are not enough to effectively support the current number of corporations and the constantly growing market.

Property management can be a very rewarding career. As a growth industry, the sky's the limit, from property



To attract new hires, those in leadership roles can collectively share success stories, promotions, and their personal growth journeys within the industry.

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## Creating a Career Path for Condo Managers

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administration to vice president of operations.

But in an industry that doesn't necessarily promote itself as a career path, getting people to join the profession, including young professionals, requires a great deal of awareness, which is currently lacking. How can the industry collectively evolve and bring more attention to property management as a rewarding choice?

Condo managers oversee homes and communities to ensure they are in good working order—compliant, clean, and safe. Thinking of such responsibilities spotlights the critical aspect of this role, one that is often misunderstood.

Often, the perception is that condo managers work exclusively for the board of directors. The role can be seen as a bit of a “paper pushing” role when, in fact, there are various facets that shape the everyday reality of a condo manager—one that is far from dull. Knowing one is a trusted member of a community, invited into people's homes, brings a sense of appreciation

and accomplishment. Perhaps more people should understand this when considering joining the field.

To attract new hires, those in leadership roles can collectively share success stories, promotions, and their personal growth journeys within the industry. Social media is a great start, and one way to track views is to include meaningful hashtags, such as #wearehiring and #joinourteam.

Try and get front-and-centre at career fairs, held in regions across Ontario, including post-secondary institutions. When property management firms participate in them, this helps create awareness. Also focus on hiring co-op students from both high-school and post-secondary school. Posting a job as a property administrator in an institution's job bank may help bring forward interesting candidates.

Another option is to hold virtual career sessions. Ideally, it will attract talent to your firm. However, looking at the larger picture, it may also help shine a light on the career. When sharing →



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with participants the process of becoming licensed, growth potential and salary expectations would be interesting topics to include.

Property management companies looking to attract the best talent should also focus on mentorship opportunities to promote the profession and help young people gain experience.

In fact, younger people entering the workforce crave mentorship opportunities. In the Colliers Post Pandemic Student Workplace Preferences Report this past summer, post-secondary students surveyed in Canada expressed what they value about the office. Strong bonds with mentor relationships and professional development figured highly into their preferences. The Deloitte Global 2022 Gen Z and Millennial Survey, which offers insight to attract and retain this talent, found the exact same sentiment, with additional insight into reverse-mentoring where young voices want to be listened to as well.

There are also many organizations looking for speakers to share perspectives on the industries they work within. They are a great place to connect with young professionals and those looking to make a career change. The Dream It — Be It program, for instance, from an organization called Soroptimist, partners business owners with secondary

school female students to help them navigate career options. This group also holds a fair where students can learn about each mentor's business.

Mentorship is also a great way to transfer skills and knowledge in an industry where skilled condo managers are becoming more scarce, and the generations that follow are keenly interested in upping their skills. Reaching out to vendors and partners and asking them to hold educational sessions or lunch-and-learns can help new hires better understand the many facets of property management and gain confidence to thrive and grow internally. Likewise, various organizations offer free or paid hybrid sessions for this same reason.

Finally, tapping into what drives future condo managers is key. As the Deloitte survey revealed, Gen Z and millennials are “deeply worried” about the state of the world and such issues like climate change, of which buildings are large contributors. As one example, the property management sector can empower this socially-minded group to become a part of driving change and mitigating greenhouse gas emissions in the built environment. Since this group also wants to work for an organization with purpose, one that cares about making a difference, try promoting those green initiatives and charitable events.

Collectively celebrating those who are currently in the condominium property management industry and welcoming with open arms those who are looking to join has never been a more crucial pursuit.



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## At a Glance

## ! notice

CCI-SA has taken steps to support the temporary social distancing measures currently being implemented to arrest the spread of COVID-19.

Please check our website for updates on events as they become available.

### FIRESIDE CHAT WITH THE EXPERTS ON

January 26, 2023	Fully Funded Reserves Vs. Partially Funded Reserves... do you know the difference?
February 23, 2023	Consequences of Licensed Managers and Brokers who do not follow the Regulations
March 30, 2023	Bylaw Enforcement
April 27, 2023	Insurance Regulations/Preventative Maintenance in condos
May 25, 2023	Ask a Lawyer
June 29, 2023	Networking Luncheon: Mix & Mingle Social

### COURSES:

CM101 and CM100 are returning in 2023 – Are you ready?

### COURSES

Currently, the CCISA Board has placed providing courses on hold. We encourage you to contact our administrator if your condominium corporation or organization is interested in hosting. A list of courses and descriptions may be found on our website.



## City Ends Multiunit Toilet Rebate Program



The City of Calgary has ended the Multiunit Toilet Rebate Program on November 1, 2022 and would like to thank all past participants of the program.

The program ran for 16 years and helped multiunit residential building owners/tenants across Calgary to replace nearly 8,000 leaky, high volume flushing toilets with new WaterSense, high-efficiency toilets. To date, savings from these toilets have topped 200 million litres and counting. In addition to the expected water savings of replacing old toilets with high-efficiency toilets that use up to 75 per cent less water, many building owners reaped even greater water savings since many of the old toilets also had a leak, which was silently wasting hundreds of liters of water a day!

Even if your building has high-efficiency toilets, there are always things that can be done to continue to reduce water use. For instance, a regular inspection of suites for leaking fixtures can spot problems early and speed the time to repair. Also, faucets and showerheads are commonly not updated to high-efficiency fixtures and can also waste considerable amounts of water, even if they do not leak. Replacing these with high-efficiency fixtures can reduce water use considerably.

To find out more about low water use fixture requirements for new or renovated suites visit Low water use toilets and faucets ([calgary.ca](http://calgary.ca))





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# Condo Case When Remediation is Required

By: Kate Kozowyk, SVR Lawyers

A recent decision from the Alberta Court of Queen's Bench, *Trevor Dunn v Condominium Corporation No 042 0105 and Celtic Management Services Inc.*, 2022 ABQB 516, serves as a useful reminder to Condominium Corporation Boards and their Property Managers to ensure that when remediation is required pursuant to the Bylaws or the Condominium Property Act, the Board commences that remediation without unreasonable delay, noise or other issues that inconvenience the Owners affected.

In *Dunn*, the Condominium Board was required to replace the roof of a condominium building due to water ingress in 2014. The contract with the roofing company stated that work was to take place from July 2014 to

November 2014, but significant delays resulted in the work taking place from October 2014 to November 2015.

The Plaintiff (Mr. Dunn) owned the penthouse unit of the condominium, which he rented to a tenant. The tenant complained about noise, windows being boarded up, inability to access balcony, and heating issues during the roof construction. As a result, Mr. Dunn subsequently decreased the rent of the unit from \$5,500 to \$2,500 a month during construction and thereafter →

The roof repair was required under the CPA did not protect the CC from the unreasonableness of how the repairs were conducted.





This case is an important reminder that the CC has an obligation to commence repairs in a timely basis (where such repairs are required by the Bylaws or the CPA), that these repairs must be conducted reasonably and that the obligation to ensure both timely and reasonable repairs rests with the CC.

filed a Statement of Claim against the Condominium Corporation (the “CC”) and the Property Manager (the “PM”) for lost rent due to nuisance.

The Defendants (CC and PM) argued that the interference presented by the construction was trivial, and alternatively, that it was reasonable in the circumstances. The Court looked at the severity of the issues experienced by the Mr. Dunn’s tenant and concluded that they were far more than “trivial” or a “slight annoyance”. During the construction:


- the Unit received little to no natural light due to windows being boarded up;
- banging, sawing, and foot noise on the roof every day;
- construction beginning every morning at 7 a.m. and continuing relentlessly;
- continued debris on the balcony preventing the tenant from accessing it at all;
- workers constantly looking into the windows that were not covered;
- temperatures in the Unit dropped below 18 degrees Celsius (in the winter) as the insulation on the roof was removed (which required the use of space heaters in the unit as a result); and
- the construction lasted more than three times the length originally contemplated.

The CC argued that section 73(2) of the Condominium Property Act places a duty on a CC to keep the property in a state of good repair, and therefore the inevitable nuisance from the necessary construction was protected. The Defendants further argued that a clause of the Corporation’s Bylaws precluded the action. The clause stated: “Neither the Corporation nor its Board Members, shall be responsible to any Owner, Tenant or occupier of a Unit, for any damage or loss whatsoever caused by or to the person or property of any Owner, Tenant or occupier of a Unit.”

The Court dismissed both arguments. Firstly, the court stated that the Bylaw language did not apply when the claim was advanced in “nuisance”. Secondly, although

witnesses for the CC (from the construction company) did testify that there were several reasons for the delays (problems with obtaining the necessary roof anchors and doing the preparation work at the beginning of the construction; working through the winter months where the environment delays the progress; not having access to the roof prior to construction beginning; and 15 change orders) and testified that there was no work done that was unnecessary or inappropriate, the Court found that there was not enough evidence to show that the construction could not have proceeded in a different, more reasonable, less obtrusive manner. As a result, the fact that the roof repair was required under the CPA did not protect the CC from the unreasonableness of how the repairs were conducted.

The Court ultimately found the CC liable to the Owner for nuisance, and awarded the Owner a sum of \$25,250 (the claim against the PM was dismissed, as they did not own or use the land from which the nuisance emanated and were therefore not liable for a nuisance claim).

This case is an important reminder that the CC has an obligation to commence repairs in a timely basis (where such repairs are required by the Bylaws or the CPA), that these repairs must be conducted reasonably and that the obligation to ensure both timely and reasonable repairs rests with the CC. 





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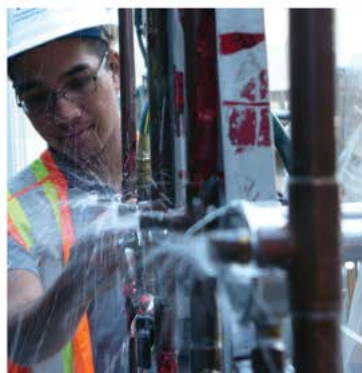
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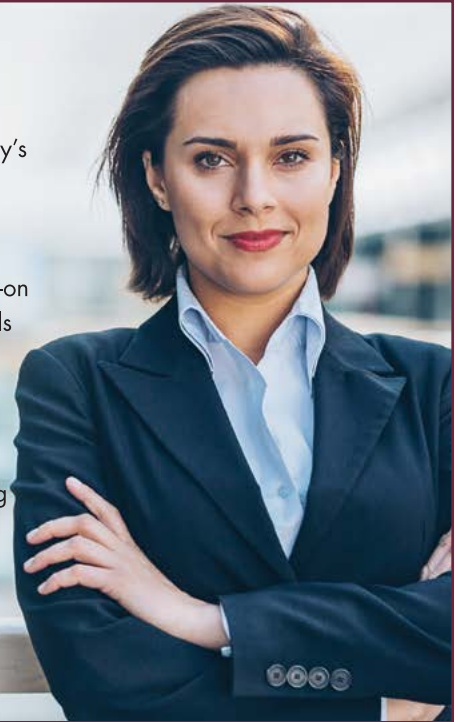
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# Uptick in Fraud a Wake-Up Call for Condos

What property managers, boards and financial advisors should do about it

By Stephen Chesney

In these economically trying times, as one would expect, fraud has been rearing its ugly head. Unfortunately, condominium corporations have increasingly become an easy target.

The reason condos have a metaphorical bullseye on them is likely due to the widespread knowledge of legislation that requires them to maintain large amounts of money in their reserve funds. This, in conjunction with board of directors who often do not have extensive education and experience on corporate governance issues, results in a recipe for disaster.

## Types of fraud

Many years ago, there had been some major condominium frauds. While these large-scale schemes have obtained significant public attention, these swindlers are consistently developing new types of frauds on a smaller scale, which are preventable and can be detected in a timely manner.

The following three examples are types of fraud that could easily transpire.

**Example One:** A condominium corporation pays its suppliers by way of physical cheques. Suppliers can deposit

the cheque from the condominium corporation by using a feature offered by its financial institution wherein it can simply take a picture of the cheque with their phone, thereby never actually visiting a bank branch or depositing the cheque by way of an ATM. A fraudster intercepts the cheque by somehow obtaining the envelope mailed to the supplier with the cheque in it (possibly from the Canada Post box). They change the payee and the amount and deposit the cheque either on their phone or at the bank into their own account. If the condominium corporation does not reconcile its bank statement in a timely manner, the fraud remains undetected for an extended period of time.

**Example Two:** A fraudster obtains the branch and bank account number of a condominium's bank account. The fraudster sets up an automatic payment or electronic transfer out of the condominium's bank account to their account (possibly a shell company used to redirect funds). Despite this charge appearing on the condominium corporation's bank statement, it goes undetected as the monthly bank statements are not reconciled in a timely manner.

**Example Three:** The board of directors decides to invest the

If the condominium corporation does not reconcile its bank statement in a timely manner, the fraud remains undetected for an extended period of time.





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## Management should implement a procedure that requires all revenue be deposited to the corporation's bank account only, and not deposited to any other individual or company's bank account.

corporation's reserve monies into a GIC or term deposit with a financial institution. Due diligence is not conducted on the financial institution with whom the condominium intends to invest and the funds are transferred electronically to the account number provided. Unfortunately, the financial institution is not legitimate, and the money is actually transferred into a fraudulent bank account.

Given this real and impending threat, it is imperative that every person involved with the financial administration of condo corporations do their part to prevent or at least reduce the risk of a financial crime being perpetrated. The management company, financial advisors (brokers) and the board of directors should develop, enforce and continually tighten internal controls to ensure that there is an efficient system in place to prevent fraudulent activity such as the ones described above.

### The role of management

Given the extensive involvement of the management in the financial administration of a condominium corporation, it is crucial they develop a set of controls and ensure that those controls are consistently followed. The most vulnerable processes that require protection include the collection of revenues (mainly common elements assessments), the payment of all invoices, and the investing of the reserve funds.

Management should implement a procedure that requires all revenue be deposited to the corporation's bank account only, and not deposited to any other individual or company's bank account.

Management should ensure that review processes are in place to confirm that invoices are legitimate before paying them and that payments are actually received by the intended vendor.

Bank accounts need to be reconciled at a minimum each month upon receipt of bank statements, but ideally more frequently. Any discrepancies or suspicious activity needs to be investigated immediately. If fraud is suspected, the bank and/or the police should be notified immediately. The longer it takes to report, the less likely it is that stolen funds will be recovered.

Management should ensure they receive and review relevant documentation from financial advisors (as outlined further below).

Management should conduct due diligence on all institutions with whom the corporation is investing. Even if directed by the board of directors, management should ensure the integrity of the financial institution before making any transfers. A thorough investigation should be conducted of the financial advisor and financial institution, especially if a higher than market value rate of return has been offered.

### The role of financial advisors

Financial advisors, such as investment brokers, often provide guidance and subsequently facilitate a condominium's investments, resulting in a flow of funds that is susceptible to fraud. It follows that safeguards at each stage of the investment process will decrease the likelihood of misadventure or, at worst, limit the extent of the wrongdoing.

First, there is the decision of where to invest. Part of the reason that there are legislative restrictions on the use of condominium funds is to protect the corporation. As such, it is important in the context of mitigating risk that financial advisors to condominiums are educated and assist the condominium with complying with the applicable laws.

Once a decision is made as to where to invest funds, there needs to be a process in place to ensure that the investment is legitimate and that the money is properly received by the financial institution facilitating the investment.

Financial advisors should then provide written confirmation for each investment in a timely manner and send monthly statements to the management or to the board of directors (if self-managed).



### **The board of directors' role**

The board may be in the best position to protect the corporation as they can oversee all of the processes and insist that controls be enforced. It would be ill-advised for the board of directors to simply rely on management, instead of using their mandate to affect corporate governance and to ensure the implementation of appropriate safeguards. For example, the board should endeavor to:

- Review the full financial statement package provided by management each month and ensure the bank accounts are reconciled and that the reconciling items are accurate and understandable.
- Review the payment process and ensure that payments are made to legitimate suppliers and cheques are only signed with proper support.
- Consistently monitor management to ensure all controls are followed.

### **An auditor's role**

An auditor cannot and should not be relied on to uncover fraud. Moreover, financial audits are not designed or intended to detect fraud.

Since condo auditors only begin their work after the end of every fiscal year, waiting for the auditor to detect fraud is not reasonable and will simply be too late. Pro-active conduct and vigilance throughout the year by the above-noted personnel can mitigate the damage of a fraud.

There is really no excuse for stakeholders in the condominium industry to be complacent. Use this opportunity to assess your condominium's processes and ensure the appropriate checks and balances are in place at all levels to ensure that the hard-earned money of the condominium's owners remain where it is supposed to be, in the corporation's bank accounts.

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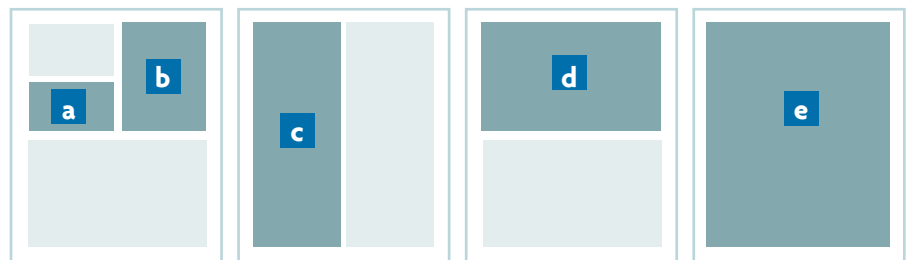
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