



Information Required by Canada Revenue

By Barbara Surry, CPA CMA

Does my Condominium Corporation have to file a T2 (Corporate income tax return)?

Technically yes, however there are several Condominium Corporations that do not. Condominium Corporations for the most part, are exempt from corporate income taxes under subsection 149(1) of the ITA (as they are considered to be a not for profit organization). Filing the form is an easy task for the accountant who does the annual financial statements. There are no penalties to Condominium Corporations for late filing this return. Once a business number is obtained, filing the T2 becomes required.



Can my Condominium Corporation get the GST it pays back as an ITC (Input tax credit)?

If your Condominium Corporation is a residential Condominium Corporation, it

is "exempt" under the provisions of GST. That means it cannot charge GST on the Condominium fees nor can it get back the GST it pays as an ITC (input tax credit).

If your Condominium Corporation is

NOTE: Permission to reprint received from CCI North Alberta Chapter.

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- To keep updated on chapter events;
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- To network with other CCI South Alberta members;
- To sign up for future CCI events.

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The newsletter was prepared in the early onset of the COVID19 pandemic. For information on condo related topics and Covid-19 see our national resource centre <https://cci.ca/resource-centre>



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Formed in 1982, the Canadian Condominium Institute is a national, independent, non-profit organization dealing exclusively with condominium issues and representing all participants in the condominium community

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Information Required by Canada Revenue

(continuation from page 1)

a commercial Condominium (occupied by businesses) or a mixed Corporation (part commercial and part residential) then there is a revenue test to see if the Corporation must charge GST. For commercial or mixed-use Condominium Corporations, the revenue threshold is \$50,000 per annum. If the annual fees from the commercial units is \$50,000 or more, then the Corporation must charge GST on the fees to the commercial units, and it can apply to get the GST paid back in the same percentage of commercial fees to total condominium fees (residential plus commercial).

What is a T1044 (Not for profit information return)?

When your Condominium Corporation reaches \$200,000 in total assets, or more than \$10,000 in interest or rent revenue, starting the next fiscal year, the Corporation must file this return within six months of the fiscal year end. Once the Corporation has filed this return, it is required to file the return each year after that. Penalties do apply for late or non-filing this return if required to do so as follows: \$25 per day to a maximum of \$2,500 per year for each return not filed, or late filed.

What do we do if we determine we should have submitted these forms and did not?

It is time to consult with an accountant who understands how to submit a voluntary disclosure form. The T1044 forms will have to be prepared for each year that they were required and not done and submitted with the proper voluntary disclosure forms. In most cases Canada Revenue will waive the penalties.

What do we have to do to obtain a Canada Revenue Business Number?

You will have to complete a form RC1. This form is available on the Canada

Revenue website. It is not possible to apply for a business number for Condominium Corporations online like other businesses. It is most efficient to print out the form (there is an online fillable form available) and submit it to Canada Revenue along with a Form 8 (list of registered directors) and a CAD sheet (Condominium additional plan sheet). We have not had any success trying to register Corporations online but have with mailing in the RC1 with the suggested paperwork. Form is available at: www.canada.ca/en/revenue-agency/services/tax/businesses/topics/registering-your-business/register.html

Does my Condominium Corporation have to prepare T4's?

If your Condominium Corporation has an employee, then yes, a T4 summary and supplementary must be prepared and submitted. The necessary remittances must be made on the 15th of each month. The T4 return can be prepared and submitted online. These returns are due on February 28 of each year.

WCB returns (WCB coverage is required for employees) are also due on that date.

Most Condominium Corporations do not have employees, as contractors are usually used. If you hire an unincorporated person to do work for the Condominium Corporation, do check to see if they have WCB coverage and liability insurance. If they do not have their own WCB, the Condominium Corporation will have to have coverage. Consider issuing them a T4A for payments made, to ensure the amounts paid are properly reported by them as income, which will require the Corporation to obtain their social insurance number. If you are paying them over \$30,000 per annum and they are charging GST, be sure their GST number is noted on their invoices.





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We are here for YOU... To learn more about New Concept Management Inc. and what we can offer contact us



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2019-2020 LUNCHEONS

January 30, 2020

A Leg Up on the Legislation
Dionne Levesque, SVR Lawyers
Laurie Kiedrowski, McLeod Law

February 27, 2020 – BWP: Calgary Plaza Hotel & Conference
Workshop: Fixing Meetings
Nancy Smith – Think Productive

March 26, 2020 **POSTPONED**

Claims Prevention, Process, and the Role of the Warranty Provider
The Alberta New Home Warranty Program

April 30, 2020 **POSTPONED**

Service Contracts: What to look for when hiring

May 28, 2020 **TO BE DETERMINED**

Electric Vehicle Power Stations

June 25, 2020 **TO BE DETERMINED**

Networking Mix & Mingle Social

COURSES

POSTPONED

CM101 - BWP: Calgary Plaza Hotel & Conference
March 21, 2020

Successful Budgeting Basics - BWP: Calgary Plaza Hotel & Conference
March 21, 2020

CM100 - BWP: Calgary Plaza Hotel & Conference
April 4, 2020

CM200 - BWP: Calgary Plaza Hotel & Conference
March 7 & 14, 2020

WORKSHOPS: Evening Sessions

POSTPONED

April 2020

Condominium Corporation Self-Management: Challenges & Rewards

May 2020

Managers are from Mars, Boards are from Venus: Creating a good working relationship between condo boards and the manager

June 2020

Write this Down: How to take proper minutes

EVENT: ACR Conference 2020 Calgary Trade and Convention Centre
Details for November 2020 coming soon




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.

reminders

For all available **EVENT REGISTRATIONS** visit ccisouthalberta.com

For more information on **CHAPTER EVENTS** please visit ccisouthalberta.com or follow us 
Registration notices are emailed to members three to four weeks in advance.

CCI is always **LOOKING FOR VOLUNTEERS** to speak at our luncheons. If you are interested, contact Elaine at 403.253.9082 or email: admin@ccisouthalberta.com

Luncheons and Courses: for more information and/or to be added to our email list go to ccisouthalberta.com/events-education/upcoming-events



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The Self-Management Option

Self-managing condo boards have pitfalls,
but can be pretty rewarding too

By Maria Bartolotti, ACCI, FCCI, Owner of New Concept Management Inc.

Self-managing your condo can be a lot of work. If you do not have the time, dedication, discipline or the tools to self-manage your condominium then you're setting yourself up for failure. Managing a condominium can come with numerous challenges including residents who may not see eye-to-eye with your method of management and no matter what you do, say or not say-haters will be haters and can make all your efforts difficult. Tough skin is essential.

While the reasons for self-management varies the most important reason for managing a condominium is to protect one's asset.

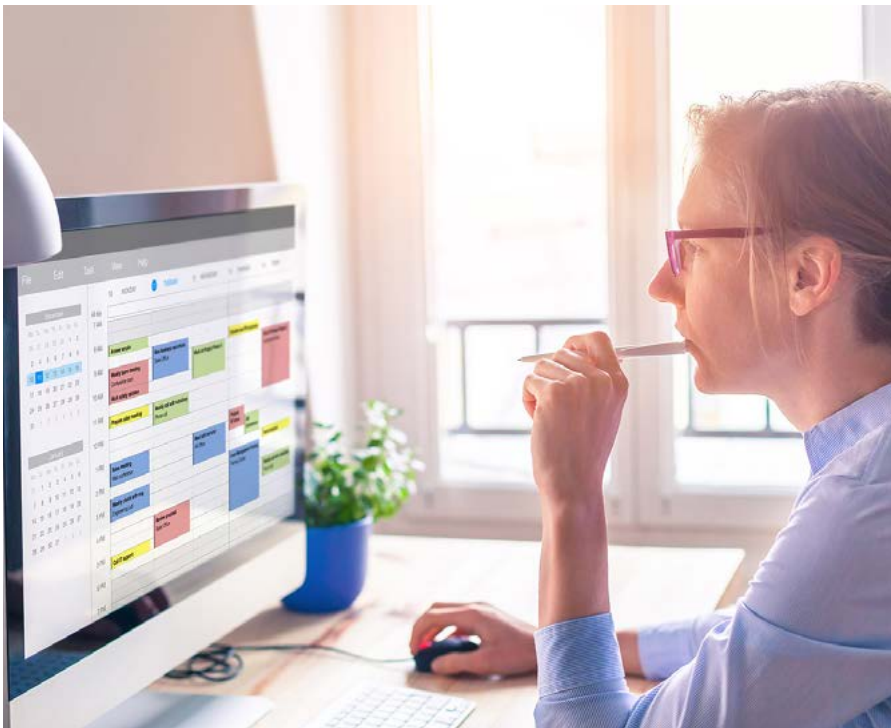
When the decision and commitment to take on the responsibility of managing is made it does have its rewards

and if done correctly will outweigh the negatives and make your time on the board very enjoyable. The best condo buildings have a sense of community that is typically driven at the board level. Board members, especially retirees, can find the experience immensely rewarding.

Here's what you need to know.

EDUCATION:

Is paramount, if you are serving on a board or considering self-managing, you must be willing to learn and acquire the knowledge and expertise needed to effectively carry out your responsibilities. Be willing to take online or in-class courses so you are prepared to manage your condo. The Canadian Condominium Institute, Southern Alberta Chapter (CCI-SAC), along with other core institutes provide educational courses that you can engage in to teach you how to Govern your corporation. CCI-SAC provides a wide variety of courses ranging from Fundamental Management Principals to Successful Budgeting Basics including Educational Luncheons and Evening Events specifically designed to help you navigate your condo and understand changes to the Alberta Property Act Regulations, Insurance and more. →



COMMUNICATION AND SETTING BOUNDARIES:

Communication is a critical and important step to the success of the working relationship between the Board of Directors and in this case, to the Owners. Don't forget to send out bulletins or newsletters to your condo community so they are kept up to date on what's happening with their investment. No one likes to be kept in the dark. Keep it simple and have communications come from one source.

ROLE OF THE DIRECTORS:

It's important that Directors be active and involved when they serve on the Board and more so as a self-managed entity. You must be willing to devote the time needed to manage the corporation. Members who cannot devote the time should not be considering a self-management option.

A self-managed Board will play many roles including the role of the management company. As such, it is crucial that you establish a board that has certain traits to help self-manage your condo community. Example: electing someone who has an accounting or bookkeeping

background, someone who is effective at writing and can draft minutes, and someone who is strong, fair, a good communicator and would make a good president.

Don't forget to implement a strategic plan and be prepared if a member of the board such as the treasurer or president moves from the condo or resigns their position.

BOARD MEETINGS:

Don't go long periods of time without meeting or checking in with each other. Set regular times to meet as a board to carry out the business of the condo corporation. You cannot effectively self-manage the condo corporation without meeting and reviewing the needs of the corporation. This is a crucial step which can easily be overlooked, it serves no one and can cause more harm than good to your condo.

TECHNOLOGY:

Has advanced and improved in the last few years making it easier for self-managed boards to communicate with their residents and bring transparency in everything they do. Nowadays you can send emails, notifications, track and monitor requests and provide document management with a click of a button. Don't be afraid to bring in tools to help simplify your role as a Board.

Most importantly know that you are not alone. Reach out to the professionals in the industry when you need it. Be it maintenance for your condo, an Insurance broker or in need of legal or management advice. We're all in it together and we're here to help YOU succeed!

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Canadian Condominium Institute Unveils

NEW RESOURCE CENTRE

The Canadian Condominium Institute leads the condominium industry by providing education, information, awareness and access to expertise by and for our members. We work hard to provide members educational opportunities through courses, seminars and networking to equip condominium directors, homeowners, and suppliers the skills and knowledge necessary to conduct the affairs of the corporation in a proper and diligent manner.

Sharing and educating through information has always been important and we are VERY excited to share that finding that information has become much easier for you! Through our National organization, the National Resource Centre is now online! You can search by newest content, most popular, category, province/territory, chapter or multiple filters at once! Choose from educational videos, articles & documents, podcasts and more. For those who are new to being a director on your Condominium Board, there is a tab just for you to help you get started or provide a refresher. The newest information will always be shown first.

The information in the Resource Centre is a library of material. Not all of the information has been created, provided or vetted by CCI and some information is only applicable to individual provinces. Where the information does not address your specific concerns, if you have additional questions, or if you require legal or other professional advice, we encourage you to engage industry professionals to help you.

Once you've had an opportunity to kick the tires on it, we would love to hear from you, please let us know what you think! We hope you are as excited by this resource as we are!

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PUBLICATION

Insurance Deductible Chargebacks

By David S. Cumming, McLeod Law

A court decision on a deductible chargeback case may have a big impact on how a condominium corporation may charge an owner for an insurance deductible when the loss causing the claim was the owner's fault.



Condominium Plan No. 7721985 v. Breakwell, 119 ABQB 674

In Alberta, bylaws that specify that an insurance deductible can be charged back to an owner due to the owner's "act or omission" requires the owner to be found negligent.

This recent decision sheds doubt on that proposition. In this case the owner's furnace shut down causing a pipe to freeze and burst, which flooded the owner's unit and some adjoining units. To complicate matters, the shutoff valve was located behind cabinets which were installed before the owner purchased the unit. Because the valve was behind cabinets, the damage was much worse than if they were able to readily locate and shutoff the valve.

The bylaws in this condo had the standard language:

- A deductible can be charged back for an act or omission of an owner.
- The owner shall take appropriate steps to ensure that all plumbing, heating, ventilation, and cooling systems are in working order and that they are repaired, maintained or replaced when necessary.
- The Corporation isn't liable for failure of these systems.



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- The Corporation is not liable for losses caused by overflow or leakage of water.
- The Corporation can recover money it has to spend due to an owner's act or omission that violates the bylaws.

The Court cited cases from other provinces where the words “act or omission” were used in the bylaws and were found to not mean negligence. The Court also applied principles of interpretation, stating that the word “negligent” was used in the bylaws but not in the section about deductible chargebacks. And when certain words are used in one context, it can be assumed that different words used in another context are not meant to mean that same thing. Put another way, it was open to whoever put the bylaws together to use the word “negligent” in the section that dealt with insurance deductibles, and they did not. They instead used the words “act or omission”, so the Court may assume that “negligence” wasn't intended.

The Court decided that the deductible could be charged back and stated that the act or omission was the unit owner's failure to keep the furnace in a state of good repair, which they were required to do under the bylaws. The Court relied on a bylaw that stated the unit has to meet the building code, and that concealing the shutoff valve behind cabinets was not to code. The fact that the renovation which put the shutoff valve behind the cabinets was done by the previous owner was not enough to sway the Court. In the end, the Court allowed the chargeback of the deductible.

The take-away is that it's not always the case that an act or omission bylaw regarding insurance deductibles requires negligence in order to be charged back. This case shows that whether a deductible can be charged back depends on the combination of factors: the particular facts that give rise to the chargeback and the interplay between different sections of the bylaws. This case also reinforces the view that the question of whether a deductible can be charged back is a very technical and fact-intensive process. It is advisable to gather all the facts first and then have a lawyer review to determine what your legal position is.

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Welcome to new members

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Kirk Mason
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Villas at Parkview Estates
West Condo (CC#: 0811706)

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Lowery Gardens CC #901 1426

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Meadow Wood Village CC 7821840

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Point on the Bow (#9910641)

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Prestwick Place CC# 0810325

Prince of Peace Village CC#: 9812469

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Roxboro House (CC: 7810681)

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Sierras of Country Hills (CP 0012058)

Sierras of Evergreen

Spruce Manor CC #051-4514

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Stonekeep (CC#: 1410248)

Sunvale Place Villas
(Condo Corp#: 1513108)

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The Citadel CC # 0914825

The Estates at Terrace View

The Homesteads

The Marquis CC #0113151

The Sierras of Richmond Hill

The Tudors at the Landings (CP 0311055)

Townhomes of Peacekeepers Way
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Varsity Towers (OCP# 8912018 OP)

Villas at Parkview Estates

Villas of Wentworth

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West Condo (CC#: 0811706)

Westchester Pointe Garden

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Woodmeadows Condo CC #8110127

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Membership expires on July 1

Your membership renewal invoice will be sent to you in the next few weeks. Contact the office if you have had a change in contact person and/or management company admin@ccisouthalberta.com.

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Do you have the right membership?

Professional Memberships are individually based. Business Partner Membership are corporate based.

Note: Member/Non-Member pricing are in effect for Events and Luncheons

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