



CCI South Alberta President's Message

By Stephen Cassady • President, CCI South Alberta Chapter

In many ways it feels like the whole condominium industry in Alberta has taken a collective sigh over the summer. Gone is the mass scramble for new development where it appeared anyone who could afford to build a showroom could raise the capital for construction.

Now we have a much tighter market with a slowed economy, a lack of easily accessible capital, and a forecast of stabilized (or stagnant) housing prices which drives speculators from the market. Finally we have opportunity to return to a saner period of development.

It's not just new development that benefits from this deep breath – existing corporations will fare better as well. Especially as development on the Bow winds down, more labour should be available for maintenance and repair projects at reasonable prices. Work that has been put off by corporation boards will start up again as large projects become within reasonable fiscal and scheduling reach.

I would even go so far as to forecast the new era of the "safe and maintained condominium." Condominiums that have been around for a few years will see a new renaissance in demand as they show the equivalent of a "clean driver's abstract." They will be able to show since the corporation's inception a few years of "driving history" that will put new owners and mortgages at comfort with a new purchase.

For buildings that have had structural or envelope failures, the boards will now be able to show a history of maintenance and, importantly, success in repairs.

It will become more common that these "building abstracts" become more important to purchasers and mortgagees – where they will ask for both the reserve fund and a more detailed account to the use of the reserve fund over the last years: contractors, deliverables, and proof of inspection. These detailed records of contractor details will be as important as a large reserve. A smaller reserve will be excusable with the supporting documentation that the funds were actually and well used to fix outstanding envelope issues.

In this situation we could see the rise of star service firms. Perspective owners and mortgagees would seek document reviews, and reviewers could show that a corporation hired "star power" in the resolving any repair issues, or for handling ongoing maintenance. Companies with outstanding pedigrees will utilize social media, public documents, and full transparency to build a solid reputation. A reputation that will transfer to the clients they work for.

Yup, it's the rise of the new "safe and maintained condominium – by reference and star power." And it will be good.

Events Calendar

Luncheons & Courses September 25th, 2012 to May 2nd, 2013

Luncheons

CCI is always looking for volunteers to speak at our luncheons. If you are interested in doing so, please contact Melanie at the CCI Office by phone at 403-253-9082 or e-mail southalberta@cci.ca.

• September 25, 2012 – Annual General Meeting

(See page 9 for details & registration form; page 10 for proxy)

With a presentation from Laurie Kiedrowski & John McDougall "Function & Dysfunction – Condominium Corporation Board Meetings and AGM's"

Courses (See page 5 for details)

- **Condominium Management 101 Course** • October 25, 2012
- **Condominium Management 100 Course** • November 17, 2012
- **Condominium Management 200 Course** • January 26 & 27, 2013
- **Condominium Management 101 Course** • March 7, 2013
- **Condominium Management 300 Course** • April 11, 18 & 25, 2013
- **Condominium Management 101 Course** • May 2, 2013

South Alberta Chapter

Who to contact and how to get your ad into the Review

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Canadian Condominium Institute
South Alberta Chapter

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Phone: (403) 253-9082
Fax: (403) 220-1215
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CCI REVIEW

Advertising Opportunity

- Showcase your products & services to individual owners, board and Property Managers of Calgary condominiums.
- The CCI Review is one of the many benefits enjoyed by Members of the Canadian Condominium Institute, South Alberta Chapter.

Please email advertisements preferably in PDF format to:
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**Thank You for Advertising
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CCI Wants You To Join Our Committees!

As the South Alberta Chapter gears towards a more Committee based structure we are encouraging our members to come join us in one of our exciting committees. We have 5 Committees seeking new faces. Below are listings and descriptions of each. If you feel you have the time, drive and commitment to join our committees, please contact our Administrator Melanie for additional information.

Education Committee:

The Education Committee is involved in all educational aspects of the Chapter such as our 100, 200 & 300 courses, seminars and monthly luncheons. The Committee is responsible for new course development and all educational material.

Communication Committee:

The Communication Committee is responsible for overseeing and implementing new initiatives in all media communications, newsletter and website.

Recognition Committee:

The Recognition Committee is responsible in overseeing and reviewing the National ACCI, FCCI, DSA Award Submissions as well as local chapter awards and implementing the new Chapter of the Year award.

Membership Committee:

The Membership Committee is responsible for recruitment, membership growth incentives and retaining memberships.

Municipal Communications Initiative Committee

The Municipal Communications Committee will be working together to correspond with Municipal Officials around South Alberta. Bringing forward issues pertaining to condominium living is their main focus.

Membership Renewals for 2012-2013

Membership Renewals for 2012-2013 year have been sent out via e-mail to the contact provided. Please ensure your membership is renewed early to avoid delays in important notices sent to members.



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Andrew McManus, Branch Manager is pleased to announce that Christopher Burns has recently joined our Westmount BMO Nesbitt Burns Branch.

We're very pleased that Christopher has chosen to join BMO Nesbitt Burns. I'm certain that his extensive experience working with condominiums will enable our firm to take a leading role in servicing the needs of this important and growing industry. Welcome aboard!

To reach Christopher Burns, please contact him at:



Christopher Burns BA
Investment Advisor
100 4954 Richard Rd SW
Calgary, AB
Tel: 403-296-1890
christopher.burns@nbpcd.com



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Member-Canadian Investor Protection Fund

Condominium Management 101 Course

Danish Canadian Club, Calgary

October 25th, 2012

6:00pm–9:30pm

The Canadian Condominium Institute, South Alberta Chapter 101 Condominium Course is a 3.5 hour session designed to introduce and educate on board governance, board meetings and running an AGM. This our first and only course geared to Condominium Boards.

Registration deadline is Monday, October 21, 2012.

Condominium Management 100 Course

Danish Canadian Club

November 17th, 2012

8:00am- 4:00pm

Level One of the Condominium Management Program is an introductory course designed to provide pertinent information regarding the responsibilities and liabilities of managing a condominium. This level is addressed to Owners, new Board Members and Professionals.

Registration deadline is Friday, November 9th, 2012.

Condominium Management 200 Course

Danish Canadian Club

January 26th & 27th, 2013

8:00am- 4:00pm

Level Two of the Condominium Management Program is an intermediate program designed for Condominium Property Managers and Board Members who must control, manage and administer the Condominium Corporation and complex. It contains specifics of their roles and responsibilities in most of the day to day activities, as well as resources to assist in carrying out their duties.

Registration deadline is Friday, January 18, 2013.

Condominium Management 101 Course

Danish Canadian Club

March 7th, 2013

6:00pm- 9:30pm

The Canadian Condominium Institute, South Alberta Chapter 101 Condominium Course is a 3.5 hour session designed to introduce and educate on board governance, board meetings and running an AGM. This our first and only course geared to Condominium Boards.

Registration deadline is Monday, March 4, 2013.

Condominium Management 300 Course

Danish Canadian Club, Calgary

April 11th, 18th & 25th, 2013

8:00am- 4:00pm

Level Three of the Condominium Management Program is an advanced course designed for Condominium Managers and other professionals. Board Members who oversee the self-management of a Corporation will also find it useful. It contains discussion about a variety of specialty or complex management issues. Successful completion of the Condominium Management 200 course is a pre-requisite to this course.

Registration deadline is Thursday, April 4, 2013.

Condominium Management 101 Course

Danish Canadian Club

May 2nd, 2013

6:00pm- 9:30pm

The Canadian Condominium Institute, South Alberta Chapter 101 Condominium Course is a 3.5 hour session designed to introduce and educate on board governance, board meetings and running an AGM. This our first and only course geared to Condominium Boards.

Registration deadline is Monday, April 29, 2013.

**Contact the CCI office at 403-253-9082 or southalberta@cci.ca
or our website www.cci.ca/southalberta for more information.**

SEEPAGE:

What YOU Need to Know as a Homeowner!

By ProStar Cleaning & Restoration

Foundation seepage is something that ProStar sees a lot during the spring and summer months, and it is often not covered by your homeowner's insurance. Have you experienced seepage? If not, do you even know what to look for?

Seepage can be caused by:

- Hydrostatic pressure which is caused by excess soil saturation (gravity pushing water down towards your foundation)
- Construction joints in the foundation (meeting of the footing, foundation wall and floor slab); expansion here is necessary due to weather changes, but creates the weak points of the home which is at risk for seepage
- Cracks in the foundation walls
- A garden hose or sprinkler left on near a wall or corner of the foundation that isn't water-sealed properly
- Poor grading around your property or your neighbour's that allow run-off, melted snow, excess rain, etc., to drain improperly next to your foundation
- Downspouts not lowered when necessary, or not drained away from the foundation properly
- Weeping tile that is not working efficiently due to sand/silt build up, the pipe being crushed or flattened, or not attached to a sump pump or sewer system properly for drainage

Seepage can cause a whole host of nasty basement leaks, floods, wet flooring and dry wall, wet insulation, cracks in the foundation and many other headaches. Seepage looks like moisture climbing up the walls in your basement. It occurs from the bottom up, around the perimeter walls of the property (not the interior walls). Each instance of new water damage will leave a distinct caramel-coloured tideline on drywall, or a white-coloured tideline on concrete or brick.

The most common ways to repair seepage are:

1. Epoxy Injections put directly into the cracks of the foundation, in an unfinished basement this is quite easy, a finished basement is much more work. This is a very effective and cost efficient way to fix common foundation cracks.

Continued on page 7

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SEEPAGE: What YOU Need to Know as a Homeowner! (cont'd)

By ProStar Cleaning & Restoration

2. The concrete basement floor is dug out along the perimeter to provide a space for a small trough to be installed all the way around the foundation walls, which is then covered by a small layer of concrete and a sump pump is connected. As the water comes in, it goes into the trough and is filtered out through the sump pump. This is a permanent water management solution, as it not impeding the water's preferred path (which is into the basement), rather it is allowing the water to simply come in and be filtered out in the easiest, cleanest way possible. Membranes can also be installed on the walls over cracks instead of repairing the cracks with epoxy (as in suggestion #1), which also allows the water to simply drain through as it wants to, down into the trough system and out through the sump pump and away from the foundation. ProStar can contract basement repairs out to a specialty company. This method is quite costly but rarely fails once complete.
3. If neither of the above two options are viable, the most traditional way can still fix your seepage problems. This is done by exterior excavation. Foundation repairs can be made such as proper weeping tile and drainage protocols installed to allow waterproofing.

Prevent seepage with these easy fixes:

- Make sure that your downspout extensions are on properly and lowered when it's raining, hailing or snowing outside
- When you are watering your lawn or garden, make sure you completely turn off the tap when you are finished
- Make sure that you don't leave a garden hose on near the house if you are watering your grass with a sprinkler for an extended period of time

- If you are putting in new landscaping, make sure the grading is sloped away from your property to proper drain areas
- Check regularly on the grading near your foundation walls – your neighbour's yard could be draining into yours which also can cause excess settling in your own grading
- Clean your eavestroughs regularly to keep them from leaking down the side of your home
- If you do have seepage issues, fix them right the FIRST TIME to avoid future issues developing, such as even more moisture and mould development

In any case, if you have suspicion of a seepage issue developing, or if you already have moisture in your basement because of an existing issue, don't hesitate to call us. A specially trained professional can help you assess the damage; suggest the best way to fix the problems, and tell you how much it's really going to cost to repair.

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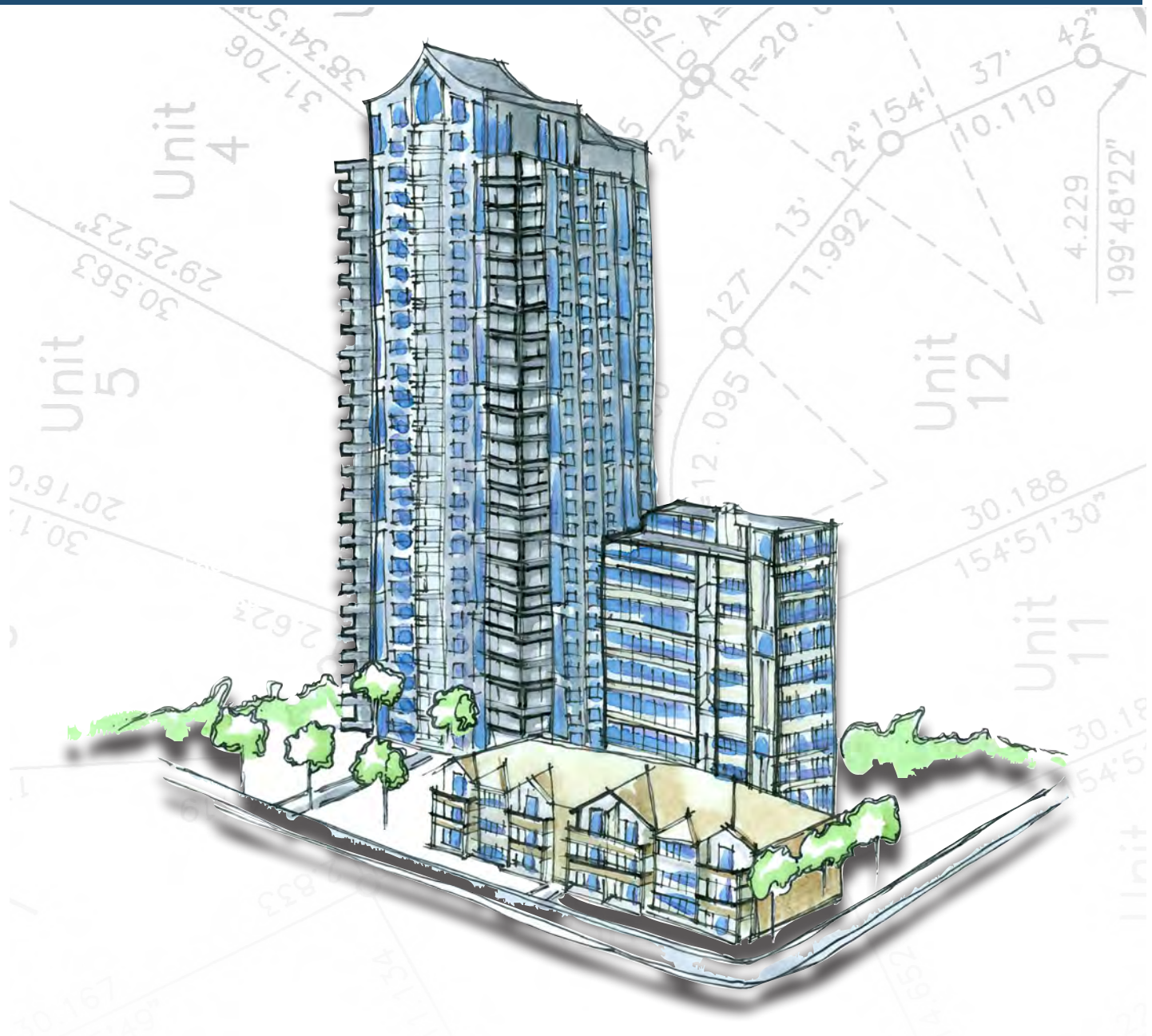
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Canadian Condominium Institute, South Alberta Chapter

NOTICE OF ANNUAL GENERAL MEETING

With a presentation from Laurie Kiedrowski & John McDougall

"Function & Dysfunction – Condominium Corporation Board Meetings and AGMs"

Tuesday, September 25, 2012

Danish Canadian Club, 727 – 11 Ave. S.W., Calgary

All members are invited to attend. If you cannot attend the meeting and wish to send a designated representative, please complete the Proxy form on the next page and send it with your representative.

Time: Registration: 11:00am;
AGM: 11:30am followed by luncheon

Speaker: Will follow the AGM

Parking: Adjacent parking lot or meters on 11th Avenue.

Registration: Fax: 403-220-1215, e-mail southalberta@cci.ca
or call the office at 403-253-9082

Price: Members \$35.00 Non-Members \$45.00

Agenda

1. Call meeting to order
2. Calling of the roll and certification of proxies
3. Proof of notice or waiver of notice
4. Approval of September 27, 2011 AGM Minutes
5. Reports of Officers
6. Financial Report
7. Appointment of Auditors
8. Election of Board of Directors
9. Old Business
10. New Business and Question Period
11. Adjournment

Space is limited. Must be registered and paid by Friday, September 21, 2012

PLEASE PRINT all information clearly

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Annual General Meeting, September 25, 2012

PROXY

I, _____, member of the Canadian Condominium Institute, South Alberta Chapter, do hereby appoint _____, as my proxy for all purposes associated with the business to be conducted at the Annual General Meeting of the Canadian Condominium Institute, South Alberta Chapter on September 25, 2012 at 11:00 am at the Danish Canadian Club, 727 – 11 Avenue S.W., Calgary, Alberta or any adjournment thereof.

Dated

Signature

Witness

Type of Membership

Protecting Your Board's Investment with GICs

By Samir Desai, B.Sc., B.Comm

Guaranteed Investment Certificates (GICs) are often a popular choice for condominium managers, condo board members or individuals looking to invest without losing their initial capital. But how can you get the most competitive rates when interest rates are low?

As an Investment Advisor, I often work with condominium management and boards who are faced with the dilemma of seeking growth in a low interest rate environment without wanting to lose the principal protection that fixed-income investments can provide. With interest rates as low as they have been, it can be hard to squeeze out a major interest payment from a GIC investment. But there are options for protecting and diversifying your investments without requiring you to take on additional risk.

"Diversification" is a term often used in equity investment discussions. In plain terms, diversification means spreading your investments across a range of sectors, geographic areas and asset classes to protect your portfolio from a downturn in one particular sector, asset class or region. But diversification can also be part of the discussion on GIC investing too.

The Canadian Deposit Insurance Corporation (CDIC), has certain rules to protect GIC investments. Namely, the CDIC insures eligible deposits at each CDIC member institution, up to a maximum of \$100,000 (principal and interest combined). If your condo board opens an account at any Canadian bank and invests in the GICs of that specific bank, then only \$100,000 (including interest) of the investment is protected in the event of the bank's default. If you took out a \$500,000 GIC at the same bank, you would still only be protected for \$100,000. So what if you want to protect an investment of \$500,000?

First, note that CDIC coverage is "per issuer." If you have \$500,000 in ABC Bank GICs, you are protected up to \$100,000. However you are protected for up to \$100,000 for each GIC offered by Bank ABC, Bank DEF, Bank GHI and so on.

Continued on page 12

The advertisement features a photograph of two ServiceMaster technicians in blue uniforms carrying blue equipment cases towards a yellow ServiceMaster van. The van has "ServiceMASTER Restore" written on its side. A large yellow triangle is overlaid on the left side of the image, containing text about emergency response services.

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Protecting Your Board's Investment with GICs (cont'd)

By Samir Desai, B.Sc., B.Comm

Second, not all investment firms are created equally. Some can only offer their own products, while others can offer GICs and other fixed-income instruments from a variety of issuers. RBC Dominion Securities, for example, has access to GICs from over 32 different institutions. This means if you wanted to invest \$500,000 into a 1-year GIC, you could split the total investment across five or six other institutions' 1-year GIC offerings and still be protected for the total value, since each investment is provided from a different issuer. Better yet, firms with broader access can also "shop around" multiple issuers for the most competitive rates of return on your investment.

In this highly competitive environment, I've found many boards and condo managers appreciate this strategy not only for the higher rates that can access, but because it demonstrates their dedication to protecting the reserve fund – and their shareholders.

For more information on CDIC protection of GIC investments, visit www.cdic.ca.

This article is supplied by Samir Desai, an Investment Advisor with RBC Dominion Securities Inc. Member-Canadian Investor Protection Fund.

Samir Desai B.Sc, B.Comm
Investment Advisor
<http://dir.rbcinvestments.com/samir.desai>

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Redemption Orders, Legal Costs & Other Expenses

By Richard I. John, Lawyer* (*a professional corporation)

The following is a summary of the how condominium assessments and charges can be collected as a consequence of the recent determination by the Court of Queen's Bench:

The Court of Queen's Bench of Alberta has now indicated that there are three possible outcomes of applications to the Court of Queen's Bench for Redemption Orders. In all cases assessments, special assessments, and interest are secured by a Caveat registered against the title to the defaulting owner's title and are in priority to mortgages registered against the title to the subject unit. It is only legal fees and other expenses which, depending on the condominium bylaws, may be "rolled in" to the assessment owing by the defaulting owner.

1. Statutory Charge – enhanced collection bylaws which allow recovery of expenses by way of an assessment IN priority to mortgages:

If the Condo Corp. has enhanced collection bylaws which provide that expenses attributed to an individual owner shall be recovered as part of an assessment levied against the subject owner then these amounts shall be collected in priority to mortgages registered against the defaulting owner's title. An example of an acceptable clause is:

Continued on page 14



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Redemption Orders, Legal Costs & Other Expenses (cont'd)

By Richard I. John, Lawyer* (*a professional corporation)

Violation of Bylaws:

Any infraction or violation of or default under these By-laws or any rules and regulations established pursuant to these By-laws on the part of an owner, his servants, agents, licensees, invitees or tenants that has not been corrected, remedied or cured within ten (10) days of having received written notification from the Corporation to do so, may be corrected, remedied or cured by the Corporation and any costs or expenses incurred or expended by the Corporation including costs as between a solicitor and his own client, in correcting, remedying or curing such infraction, violation or default shall be charged to such owner and shall be added to and become part of the assessment of such owner for the month next following the date when such costs or expenses are expended or incurred (but not necessarily paid) by the Corporation and shall become due and payable on the date of payment of such monthly assessment and shall bear interest both before and after judgment at the Interest Rate until paid.

The Court of Queen's Bench of Alberta has concluded this because section 39(1)(c)(ii) provides that the administrative expenses can be collected other than in respect of unit entitlement. These types of bylaws provide that the "costs or expenses incurred or expended" can be collected as part of the assessment. In this situation, the legal fees and other expenses attributed to the collection of the assessments will remain in priority to the mortgagees.

2. Contractual Charge – enhanced collection bylaws which allow recovery of expenses by way of a charge NOT IN priority to mortgagees:

If the Condo Corp's bylaws do not have a provision which allows for the recovery of expenses by way of an assessment in priority but has a contractual charging provision in the condominium bylaws then the Condo Corp. has a charge but not in priority to mortgages registered against the defaulting owner's title. Where the right to a contractual

Continued on page 15



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Redemption Orders, Legal Costs & Other Expenses (cont'd)

By Richard I. John, Lawyer* (*a professional corporation)

charge exists in the condominium bylaws the Court allows a Caveat to be registered but directs that the Caveat will be subsequent to any mortgages or other financial encumbrances registered against the subject unit. In this situation, there may be insufficient equity in the defaulting owner's property for the payment of the costs and expenses incurred or expended in respect to the collection of the outstanding amounts. Following from this, there is a risk that these amounts may not be paid by the owner if the amount owing to a mortgage exceeds the equity in the defaulting owner's property. In this situation, a Judgment for the legal costs and other expenses may also be granted by the Court.

The Condo Corp. may, depending on the wording of the relevant provision in the subject bylaws, be required to register an additional Caveat to secure payment of the costs and expenses incurred or expended in respect to the collection of the outstanding amounts. For now, I am

recommending that the Condo Corp. register only one Caveat but this issue may need to be revisited at a later date.

3. No Charge – Appendix 1 (section 33) of the Condominium Property Act (Alberta) (the "Statutory Bylaws") allow for Judgment to be granted against a defaulting owner personally only:

If the Condo Corp.'s bylaws do not allow for either a statutory charge or a contractual charge in respect of the recovery of expenses then the costs and other expenses may only be pursued by the Statutory Bylaws and section 42 of the Condominium Property Act (Alberta) (the "CPA"). This situation will lead to a Judgment being granted against the defaulting owner personally. The Court will grant a personal Judgment only for the reasonable costs incurred. This type of relief is an in personam remedy and limits the collection to the defaulting owner of the subject

Continued on page 16



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Redemption Orders, Legal Costs & Other Expenses (cont'd)

By Richard I. John, Lawyer* (*a professional corporation)

property personally. There will not be any entitlement to security against the subject unit or to foreclose against the subject property in respect to the collection of the costs and expenses incurred and expended. A Judgment is valid for ten (10) years from the date of Judgment and may be renewed for an additional ten (10) years on application to the Court prior to the expiry of the Judgment. If the Condo Corp. is unsuccessful in collecting payment directly from the debtor, the Condo Corp. may choose to enforce the

Judgment. To do so, the Condo Corp. must first obtain a Writ of Enforcement. A Writ of Enforcement is a document issued by the Clerk of the Court of Queen's Bench which is then registered with the Personal Property Registry. In this situation, the owner may not have the means to pay the Judgment and there is an increased risk that these amounts may not be paid by the owner particularly if the defaulting owner goes bankrupt or is a corporation without any assets.



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