

# ccci

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The newsletter of the Canadian Condominium Institute/  
Institut canadien des condominiums / South Alberta Chapter

## Condominium Maintenance Financing

# a viable option for funding shortfalls



by Eric Bloomquist

**A**n anyone who has been involved in a condominium corporation, either as an investor or a condo owner, understands the potential financial impact and/or difficulties related to constant maintenance requirements and extensive repairs. If the condo is not properly maintained and repairs are not carried out promptly, the value of the entire property is potentially at risk. Plus, there can be liability issues and the units may no longer be attractive to prospective buyers or tenants. Often, in an attempt to keep fees low, the monthly condo

fees paid by unit owners cover little more than the day-to-day running of the condo. This means financing for maintenance work may not be readily available when it's time to take on an important repair or maintenance project.

This is where condominium corporation maintenance financing may be a useful alternative to a special assessment or the unthinkable option of not proceeding with the project at all. If the corporation obtains a loan to cover the necessary work, it can avoid a lot of the unpleasantness that accompanies a poorly maintained condo.

## What are the benefits of condominium corporation maintenance financing?

- 1 The condo corporation can receive the required funds when the maintenance or repair work is scheduled to start. This eliminates the long waiting periods that can occur while unit owners struggle to gather their share of a special assessment.
- 2 Condo corporation financing ensures the project can be carried out in its entirety, without deferring some elements to a later time when construction costs may have risen. Instead of staging projects over multiple years, efficiencies can be gained by having a contractor set up once. Often, they will offer a price break to secure all of the work in the immediate term.

*continued on page 3*

**c**

### the voice of condos in Canada

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.

**c**

### our mission

CCI's members work together toward one common goal — creating a successful, viable condominium community. CCI's mission is to educate, develop standards, offer referral resources and improve legislation.

**i**

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**3** Proper maintenance of the building envelope and the common property is essential to preserve the value of the property, as well as to attract suitable buyers and tenants and to create a pleasant home for the current residents. While it may be true, the explanation that funds are not available for maintenance simply does not create an impression of a well-managed condo.

**4** From the perspective of the unit owners, condo corporation financing may eliminate the need for large, lump sum special assessments that many may have difficulty obtaining personal financing, if they can afford it at all. From a board's perspective it may eliminate the unpleasant task of enforcing collection of an onerous assessment, and maybe even foreclosures, because the financing option simply increases the current monthly budget, which may or may not require an increase of monthly condo fees. While there still may be a financial impact, it's likely much more manageable given that it is spread over a period of time.

**5** Individual unit owners do not need to qualify for financing, because the loan is provided directly to the condo corporation. Unit owners therefore benefit from the project without having to undergo the full credit process and it has no effect on their credit record.

**6** Since the cost of a condo loan can be added to the corporation's budget, current and future unit owners share the cost of the maintenance and repair work. This is a very reasonable approach when considering that both share the benefits of the improvements.

**7** A loan can also be an alternative to the need for a condo to drain down its reserve fund for unexpected repairs, which it may need in an emergency or for future planned projects. Essential repairs such as the replacement of a leaky roof need to be carried out immediately and, if a healthy reserve fund is in place, the corporation may want to leave that fund intact and avoid depleting it prematurely.

**8** Other improvements that condo corporations may not easily afford without the financing option can potentially add significant value to the property. For example, energy-saving retrofits such as high-efficiency boilers and solar and geothermal upgrades can create significant utility savings for the unit owners while also being more environmentally friendly.

It is no longer necessary to allow condos to deteriorate physically and in value simply because the corporation cannot afford to maintain and upgrade its complex. Condo financing is an increasingly popular solution, with some lenders recognizing the need and assisting with the pursuit of this option. Condominium corporations faced with the need for a special assessment owe it to both their current and future ownership group to consider the option of financing.

*Eric Bloomquist may be contacted at [CondoFlex@bankwest.ca](mailto:CondoFlex@bankwest.ca).*

2013/2014

# Year at a Glance

## Luncheons

September 24, 2013, Annual General Meeting  
October 22, 2013  
November 26, 2013  
January 28, 2014  
February 25, 2014  
March 25, 2014  
April 22, 2014  
May 27, 2014  
June 24, 2014

Luncheons are held at the Danish Canadian Club. 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 in doing so, please contact Melanie at 403 253 9082 or [administrator@ccisouthalberta.com](mailto:administrator@ccisouthalberta.com).

## Courses

### Condominium Management 101

Danish Canadian Club, 727 11 Ave SW, Calgary  
Thursday October 24, 2013, 6 – 9:30 pm  
Thursday January 16, 2014, 6 – 9:30 pm  
Thursday May 23, 2014, 6 – 9:30 pm

### Condominium Management 100

Saturday, November 16, 2013, 9 am – 4 pm

### Condominium Management 200

Saturdays, February 1 and 8, 2014, 9 am – 4 pm

### Condominium Management 300

Thursdays, April 3, 10 and 17, 2014, 9 am – 4 pm

## Events

### ACMA, REIC and CCI Tradeshow: *Building Relationships*

October 25 & 26, 2013  
Coast Plaza Hotel, 1316 33 St NE, Calgary  
For more information, please click .

### Annual Golf Tournament

June 2014  
Elbow Springs Golf Course

## Canadian Condominium Institute, South Alberta Chapter

### Board of Directors

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#### Vice President

John McDougall

#### Secretary

Janet Porteous

#### Treasurer

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Maria Bartolotti

Michael Ball, P.Eng

Lorraine Williamson

Evelyn Thompson, ACCI, FCCI

Laurie Kiedrowski

Greg Cortese

### Office Administrator

Melanie Bennett



# condos in crisis

by Maria Bartolotti

On June 21, 2013, a state of emergency was declared in the City of Calgary and in parts of southern Alberta. Thousands were forced to leave their homes due to the worst flooding the city has ever witnessed.

As a property manager, I saw first hand what the devastation did to some of the buildings that we manage in the downtown core and surrounding areas. The lights were out for some of our buildings, one building had its parkade completely flooded. Most residents have been able to return to their homes but many buildings face ongoing issues.

For property managers affected by a natural disaster, I cannot stress enough the importance of communication, especially when residents have been misplaced from their homes. The best advice I can give condo owners is patience.

Daily communications between owners, condo boards, property managers and trades, along with site visits, are very important. Our efforts were spent reassuring owners/residents that we are working hard to get them back into their homes.

There are many factors involved in restoring a building before residents are allowed back into their homes. Here are some steps we took to help our homeowners:

- all the water was pumped out by a restoration company;
- affected areas were properly disinfected;
- carpet and drywall were removed;
- new fire panels, electrical, plumbing, mechanical and, in some cases, elevator equipment were installed.

The problem we ran into was an acute shortage of trades, including electricians, cleaners and contractors. Every contractor was absolutely stretched to capacity trying to complete the work awarded them. We could not afford to jeopardize the quality of living for the sake of speed.

In this disaster, property management companies dealt with hundreds of buildings and dozens of contractors — ultimately trying to restore each community to its original habitability while not bankrupting the condominium corporations. This continues to be an incredible balancing act; we strongly doubt any disaster planning could have made easier.

*Maria Bartolotti is the owner/manager of New Concept Management Inc. and may be reached at maria@newconceptmanagement.com.*

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# make a difference in a CCI committee



As the CCI, South Alberta chapter moves toward a more committee-based structure we are encouraging our members to join one of our exciting committees. Six committees are currently seeking new faces. If you feel you have the time, drive and commitment to join our committees please contact our administrator please contact Melanie at 403 253 9082 or [administrator@ccisouthalberta.com](mailto:administrator@ccisouthalberta.com).

## Awards and Recognition

The Recognition committee oversees and reviews the national ACCI, FCCI and DSA award submissions, as well as local chapter awards and implementing the new Chapter of the Year award.

## Communications

The Communication committee oversees and implements new initiatives in media communications, including the newsletter and website.

## Education

The Education committee is involved in all educational aspects of the chapter, such as our 101, 100, 200 and 300 courses, seminars and monthly luncheons. The committee is responsible for new course development and all educational material.

## Membership

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

## Government Communications Initiative

The Government Communications Initiative committee corresponds with municipal officials in southern Alberta in order to be actively involved in changes to the New Home Warranty program and to bring forward issues pertaining to condominium living on a municipal level.

## Trade Show

The Trade Show committee is working on a joint venture with with ACMA and REIC to organize a trade show for the CCI South Alberta chapter and other organizations.

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*Our nation will succeed or fail to the degree that all of us, citizens and businesses alike, are active participants in building strong, sustainable and enriching communities.*

---

Arnold Hiatt

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## Welcome New CCI Members

### Individual Members

Warren Barker  
Terry Gibson  
Deoraj Ramnarine  
Kristine Ravnsborg  
Susan Wennerstrom  
Cheryl Young

### Professional Members

Mahmud Khalfan, Mahmud Khalfan  
Professional Corporation  
Sathya Ramachandran, Exp Services Inc.

### Condominium Corporation Members

Condominium Corporation 9312049  
Stella Nova

# the best defence (and offence) for aging condominiums

*An RFS is a living/working document that captures both business plans and engineering strategies to define and manage the condo's cash flow needs.*

## Reserve Fund Studies



by Jon Maynard

**P**roperty managers and condominium boards of older buildings are facing bigger and bigger challenges. As buildings reach the 20 to 30 year mark, many major building systems will wear out and require costly repairs and replacements. As well, in order to compete with newer, greener buildings, unit owners interested in sustaining property value typically demand the reserve fund be spent on items such as interior finish updates and sustainable or green initiatives. Added to this are rising energy costs and tougher compliance requirements that create pressure to upgrade mechanical systems.

While these may seem like too many expectations to manage all at once, it is possible to stay ahead of the curve by creating a detailed and well-considered reserve fund study (RFS).

## The reserve fund study as road map

A reserve fund study is a road map for a condominium's long-term needs. An RFS is a living/working document that captures both business plans and engineering strategies to define and manage the condo's cash flow needs.

A good RFS will help boards and property managers:

- prioritize competing capital projects;
- avoid surprises;
- provide solid justification for spending.

A great RFS is based on and reflects a well-articulated vision for the property. The vision does not need to be complex; it can be as simple as "Maintain the building in the same standing as it was when it was built." Too often, in the absence of a planned vision, the default action seems to be to allow the building to continue to degrade. While the building may deteriorate by only small increments each year, over time this can add up to a significant loss.

The better the job the corporation does of defining and articulating the vision for the property, the better the RFS will be. An RFS is not a cookie-cutter document. It should be tailored to your particular property, address your stakeholders' needs, and reflect the input of the board, management and your RFS provider.

Solid planning for repair and major replacement expenditures, along with leveraging technology, will allow you to make the best decisions you can. In other words, a good road map will help you shift from putting out fires to proactively managing and planning.

## Demand value from your RFS provider

Creating an RFS is a team sport. Get a consultant onto your team who understands your needs and plans accordingly.

To gain an overall understanding of the performance issues of the various building systems, your consultant should start with interviews of the property manager, service personnel and other relevant people. The consultant should follow-up by reviewing documents, including drawings, existing reports and any intrusive investigation reports previously completed.

Good record keeping by management is an essential part of this process and should include not only copies of the drawings and prior reports but also specific dates, times, photos and other details of problems. This all provides great value in planning strategies for component repairs or replacements.





## Tips to keep your building ticking

Taking care with your RFS can set your building on a path to success. When particular building components are being discussed at your next management meeting, keep these in mind:

- building systems all require different levels of maintenance - seek to understand them, and get help when you need it;
- use consultants when you're in over your head, but push them to provide good value, and have them identify options, benefit and risks. Insist on concise reporting and no jargon;
- search for energy saving opportunities that have small incremental up-front costs but greater operating/capital savings down-stream;
- doing your part for the environment can mean extending the service life of your building systems, instead of replacing systems when they wear out;
- remember that proactive maintenance can reduce long term life cycle costs and defer the need for costly replacements.

When visiting the property, the consultant will conduct a visual evaluation of the systems and components. While this is often sufficient to make recommendations for the RFS, sometimes the consultant will need to perform tests and do further review, before he/she can determine a broad range of capital repair budgets. In this case, it is often prudent to invest in physical testing as a low cost option to narrow the budget range. Testing can include a broad range of measures, including thermal scans, roof cuts, concrete testing or even domestic water piping cuts. Much of this evaluation requires engineering judgment.

For each major repair that influences the cash flow, the board should understand the component life cycle and find out how to extend it. Apart from safety issues or legislative changes, there are very few instances when a component would require replacing immediately.

Your consultant should describe available options and help guide the board in selecting the strategy most appropriate for your corporation's vision. The consultant should be available to meet with the board to discuss the recommendations and make modifications based on the board's input and vision for the condominium.

In short, when dealing with repair and replacement issues, a property manager will get the best value from the consultant by insisting on:

- a plan that fulfills the vision for the property;
- getting the range of solutions explained for critical

projects (which influence RFS contribution levels);

- including solutions in the plan that balance the desire for lower initial contributions while also considering the long-term impact on the plan.

*Jon Maynard, BA, DIPAT, CET, RRO, LEEDAP, is a project manager with Halsall Associates and may be contact at [jmaynard@halsall.com](mailto:jmaynard@halsall.com).*



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# when it comes to legal decisions, the clock is ticking

by Michael C. Kwiatkowski

Being a board member on either a condominium corporation or a home owners association (HOA) board is often a thankless job: numerous late nights in meetings, never ending emails and phone calls, and constant decision making that sometimes never seems to please anyone. All this without remuneration! That being said, the hard work and dedication of board members is fundamental to the well being and longevity of a successful and well-funded condominium corporation or HOA community.

It is all too common for boards to fail to address important legal decisions in a timely manner. During the summer months or over the Christmas holidays, it is common for boards to take a break. This means that decisions on important issues are sometimes put on hold, with a carry forward notation in the last meeting minutes, to be readdressed when it reconvenes. In many cases, important legal issues are delayed either because of an AGM or due to the election of a new board.

While board members can take a well-deserved break, they should be mindful that the clock on Alberta's Limitations Act continues to tick. The Act specifically states:

- 3(1) Subject to section 11, if a claimant does not seek a remedial order within:
- (a) 2 years after the date on which the claimant first knew, or in the circumstances ought to have known,
    - (i) that the injury for which the claimant seeks a remedial order had occurred,
    - (ii) that the injury was attributable to conduct of the defendant, and
    - (iii) that the injury, assuming liability on the part of the defendant, warrants bringing a proceeding,
  - or
  - (b) 10 years after the claim arose, whichever period expires first, the defendant, on pleading this Act as a defence, is entitled to immunity from liability in respect of the claim.

We have seen too many times that a board will be alerted to an issue with roofing repairs, landscaping, paving, water leaks, etc., and fail to pursue a cause of action to handle the situation in a timely manner. We have experienced boards trying to handle the situation themselves but losing the window of opportunity to commence an action due to board turnover, vacations, AGMs, special meetings, etc.

Board members need to know that:

1. The two-year clock under the Act starts to tick from the date the claimant knew or ought to have known that (a) the issue occurred; (b) the issue was a result of the defendant's conduct; and (c) the issue warranted bringing an action. This imposes a somewhat objective test and, in fact, the clock can start ticking prior to the date of when the board actually uncovered the root of the issue.
2. There is a 10-year limitation period in Alberta, which is a complex rule that exceeds the scope of this article: if the board complies with the two-year rule as described above, the odds of being offside of the Act are significantly reduced. When a board misses a limitation period under the Act, the condominium corporation/HOA is effectively stopped from advancing a claim in court. Board members may become personally liable for negligence for failing to act in a timely and prudent manner and without the best interests of the Condominium Corporation/HOA — a situation to be avoided. Whether the property management company could also be held liable may depend on the facts of the matter, but it would not be a stretch.

Therefore, it is vital that your boards are informed that they need to sound the alarm as soon as a legal matter arises. A quick call to one of our lawyers in the condominium group will greatly assist boards in understanding their position, their avenues of recourse and, most importantly, the limitation periods.

*Michael Kwiatkowski is a partner with Macleod Law LLP. He specializes in construction and commercial lease litigation. He may be reached at 403 873 3706 or [mkwiatkowski@mcleod-law.com](mailto:mkwiatkowski@mcleod-law.com).*



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# the democracy of taste

by David Crosson

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*Bill Cosby once wrote, "I don't know the key to success but the key to failure is trying to please everybody." Wise words, indeed. As stewards of condominium communities you know this only too well. While consensus is always the desired goal it can be a lofty one, given how diverse populations are in high-density properties.*

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The aspect that makes communal living both rewarding and exciting — namely a blend of ages, ethnicities and socio-economic backgrounds — can also be a hindrance when it comes to decision making. Although this factors heavily in such weighty matters as the amendment of bylaws or implementation of new policies, it is often on the lesser fields that battles wage the fiercest.

Take design, for example: an area you would expect to not be terribly controversial. After all, how many people really feel strongly about the style of sofa that sits in the lobby? The answer: everyone. Despite the fact that these decisions are made for their own spaces, residents will offer (and doggedly defend) their opinions as if they were. And that's valid. Everyone has a right to an opinion and should be encouraged to voice it, but addressing expectations and managing the process is another matter altogether. If handled correctly, when all is said and done, management and condo boards will experience far less push-back if stakeholders at least feel as though their voices were heard.

Democracy at its root is a relatively simple concept; in practice, however, it can often feel like some sort of runaway libertarianism, especially when emotions and personal preferences enter the equation. This is almost always the case with what I call the democracy of taste. Trying to achieve consensus, or even a majority, on design decisions can be as tough as trying to get everyone to agree what the best flavour of ice cream is. You'll wind up with a million ideas and a bunch of empty cones.

True, there are baseline measurements of what "good" taste is (they vary from decade to decade but do exist) and these are very helpful for determining how a project could, or should, logically proceed. That's not to say that beige is boss or that a showhome can show you the way, but having concrete ex-

amples of current interiors can really help focus a group and move it forward. Based on my professional experience, here are 10 ways to help your condo community embrace change with maximum enthusiasm and a minimum of stress.

## 1 Reach in before you reach out

Whether you're handling the process on your own through management channels or working with a condo board, securing buy-in up front is crucial to the success of any project. Even if you don't have 100 percent agreement with your internal stakeholders, make sure you present a united front when sharing ideas with your external stakeholders.

## 2 There are no bad ideas

Actually, humans come up with hundreds of terrible ideas every second (remember aerosol cheese?) but your stakeholders don't need to know that. Where possible, every idea should be heard — but that doesn't mean they need to be incorporated. Before you share what the ultimate direction of a project will be, ensure you have at least a few talking points prepared to demonstrate that, at very least, you "heard the herd" and selected the most appropriate options under the circumstances.

## 3 Yes is always the right answer

Appreciative inquiry practices are a powerful tool in this process. When presenting ideas to skeptics, always ask what they do like about an option rather than what they don't. If they agree that, say, the combination of two chairs and a sofa is the right formula for the space, that will provide a positive foundation on which to build as you move into the touchier subjects of style, fabric and colour.

Never ask why someone likes or dislikes something, as it implies judgment. Rather, focus on queries with a positive spin, such as “What about this design works for you?” or “How does this option make you feel when you consider its practical application?” These types of questions, and many other variations thereof, will help minimize the petty skirmishes and keep you on track.

#### **4** Focus on the “good host” rule

Most of us are old enough to remember the stipulation that a guest in your home gets to pick the TV show, select where they sit, be served first, etc., etc. It’s a variation on the “The customer is always right” angle. If you help stakeholders focus on the fact that the common areas are primarily for guests and their attendant needs, it will help distract and dissuade them from promoting an agenda that’s really specific to their own spaces. Be sure to underscore the fact that these areas are essentially pass-through zones with very specific requirements and time-use demands.

#### **5** Make a good first impression

Oftentimes a main floor common area is the first thing a non-resident encounters, be it as a guest or prospective buyer for a unit in the complex. Just as hotels always upgrade their lobbies first, this is a key area for creating a powerful and lasting impression with ‘outsiders’ of any stripe. Your common areas should ideally say something positive about the property, its management and its inhabitants while still maintaining a sense of permanence in the face of now-rapidly changing tastes.

#### **6** To thine own self be true

Let’s be honest, encountering an ultramodern lobby in a heritage building can be jarring at best and feel like a mistake at worst. This is not to say that upgrades and judicious contemporizing are a bad, just that you have to, on some level, honestly acknowledge the nature of your property and the kind of first impression it could, and should, authentically make. Juxtapositions of style are often an effective means of revitalizing a building — just make sure you take your cues from the architecture of the building itself.

#### **7** Accept your realities

This is a subsection of the above point: don’t spend stakeholders’ hard-earned money frivolously. If you are located in a climate that is cold most of the year, don’t spend thousands of dollars on outdoor furniture. If the demographic of the property is shifting to younger buyers, don’t cater to the tastes of a handful of vocal seniors when redesigning a space. And if the only thing the lobby is used for is waiting for rides and cabs, don’t invest in seating for twenty. After all, if you have a holiday social once a year, you can easily rent comfortable chairs for about \$5 apiece based on the number of people who actually attend.

#### **8** Leave it to the professionals

This may sound self-serving but, if you hire a designer or decorator, listen to what they have to say. These people have spent years studying and honing their craft in real life situations with real life clients. A good design professional will always tailor their solu-

tions to the expressed needs of the client, so be sure to actively participate in the process. If you feel as though things are going astray or you’re experiencing scope-creep, speak up. No one wins if everyone is fuming and/or suffering in silence.

#### **9** Buy the best quality you can afford

Even though your lobby may essentially just be a glorified taxi stand, it will still see some wear and tear based on the sheer volume of people moving through it. Even things like regular visits from your site cleaners can take a toll of certain materials, so be sure your choices are both attractive and practical. There have been many breakthroughs in the development of durable surface materials but they often come at a price. Make sure you choose wisely if you have to incorporate a blend of high- and low-end items.

#### **10** Relax, it’s only design

At the end of the day we’re talking flooring, paint and furniture, which were not, the last time I checked, matters of life and death. True, you are charged with spending stakeholder funds wisely and effectively, but that doesn’t mean the process can’t be fun and the end result can’t be something everyone looks forward to seeing.





# condochatter



**COACH BLUFF VILLAS** is an architecturally-unique condominium development in southwest Calgary. It features an award-winning, A-frame design that maximizes north sun exposure with floor-to-ceiling windows in the main living areas.

Each of the 19 townhomes has an identical floorplan that includes four developed floors with decks on two levels. When the complex was built in 1978, the design allowed for a generous amount of greenspace and trees. Those trees have since grown to become one of the more distinctive features of the development. Seventy-six spruce trees about 60' in height repeat the shape of the buildings and complement the all-cedar cladding.

An urban development with the distinctive appeal of a country chalet, Coach Bluff Villas has attracted owners with a passion for the warmth and character that these homes possess.

**EVERGREEN VILLAGE** is a 120-townhouse condominium complex located in **Thornccliffe**, just off Deerfoot Trail in Calgary's northwest. It is a family-oriented complex, with close proximity to schools, public transportation and shopping. Every year a barbecue is held to encourage the owners to come out and meet their neighbours and condo association board members.

Recently a major renovation was undertaken to replace the siding with concrete-based Hardie board.

There are seven members on the board: Anne Armer (president), Trevor Miles, Lorraine Williamson, Caitlyn Lowe, Bob Robinson, Maggie Tew and Wei Sun.



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Tuesday, September 24, 2013

With a presentation by Stephen Cassady:

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Danish Canadian Club, 727 11 Avenue SW, Calgary

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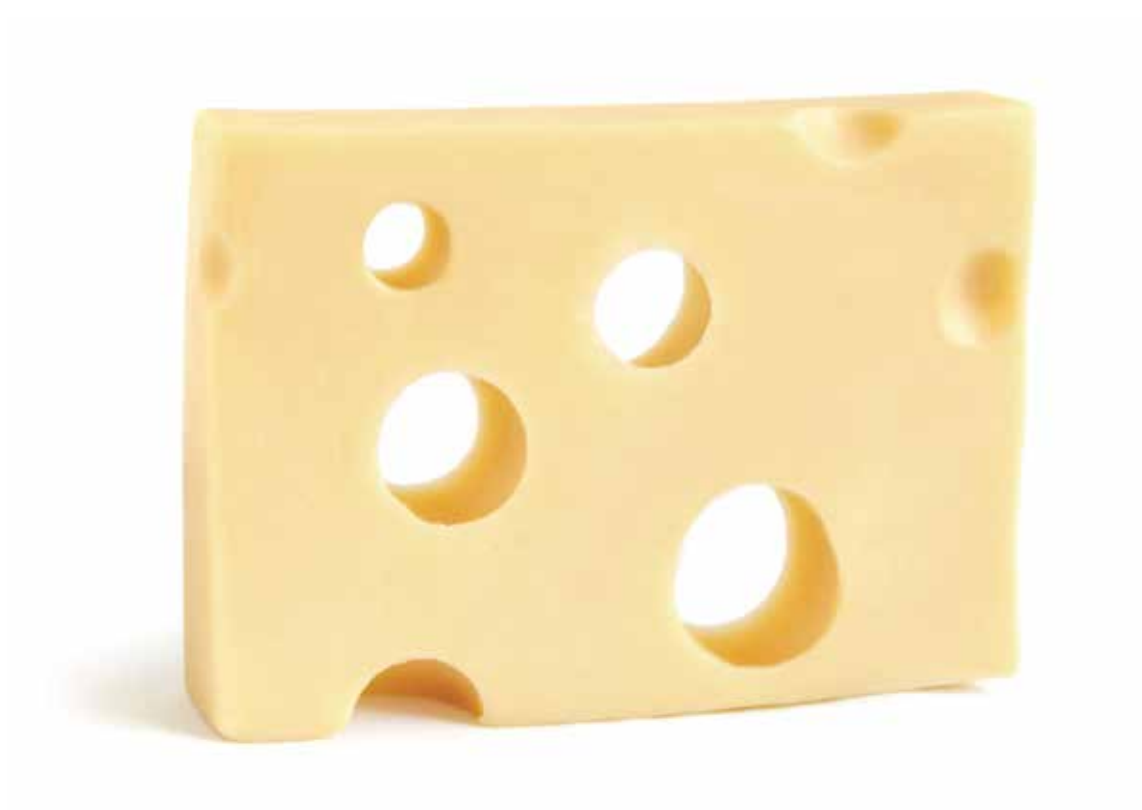
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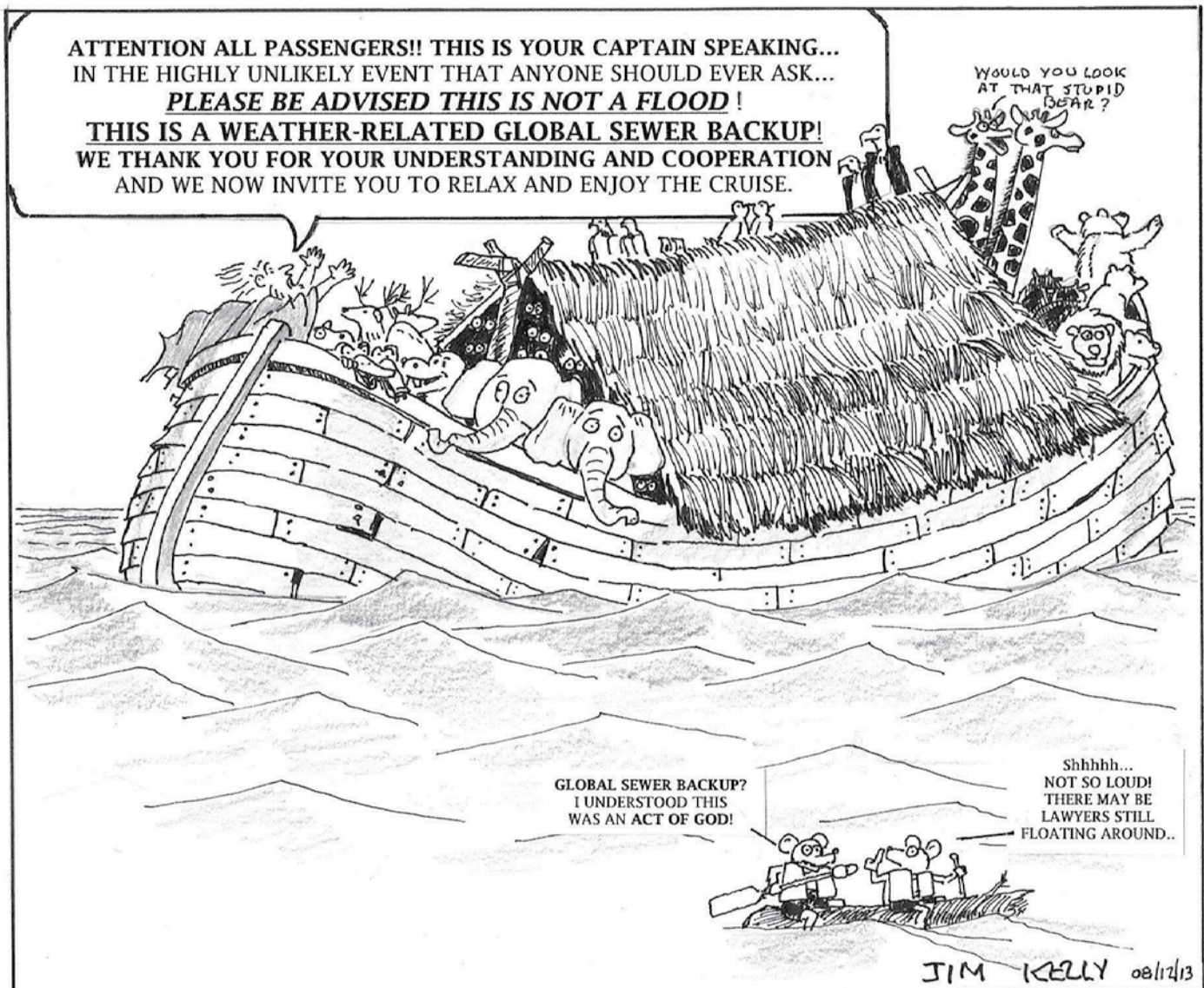
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