



## **CONDOMINIUM FAQ**

**This information is not a substitute for legal advice.**

### **CONDOMINIUM LIVING**

#### **What is a condominium?**

A condominium is a type of real property ownership in which each owner owns the unit to which they hold title and jointly owns a portion of all the non-unit, or common property. The common property is maintained and operated by a Board of Directors who are elected by the owners.

Condominium Corporations are created when the Condominium Plan is registered at Land Titles. Registration creates a separate title for each unit. The owner's share in the common property, expressed in unit factors, is shown on each title.

There are several types of condominiums. They can be residential apartments, town houses, single family dwellings, or commercial spaces such as offices and retail operations to name a few.

#### **What is the role of the Board?**

The Board exercises all of the powers, and carries out all of the duties of the Corporation, subject to any restrictions imposed or directions given at a General Meeting. They are responsible for:

- administering the affairs of the Corporation;
- maintaining the common property;
- making rules and regulations as required from time to time;
- enforcing all requirements of the Corporation's bylaws and the Condominium Property Act;
- setting the Corporation's budget and collecting the required amounts from the owners.

#### **What is the role of Condominium First?**

The Owners, through the Board of Directors, decide on the Corporation's policies, programs and budgets, but somebody has to make it all happen. That somebody is your professional condominium management team – Condominium First. As managers, we must turn the Board's policy and program decisions into reality.

Working closely with the Board, we organize and execute the tasks required for the successful operation of the condominium community. This includes all the details that are involved in order to provide landscaping, snow removal, common property repairs and maintenance. On the Corporation's behalf we collect the operating funds, invest the reserve fund contributions, pay the bills and ensure compliance with the bylaws and the Condominium Property Act. We prepare financial information, perform all administrative functions, place insurance and handle insurance claims, maintain the documents of the Corporation and are a contact point for the rest of the owners.

#### **What are the responsibilities of the owners?**

Know the rules – and play by them. The condominium lifestyle is a wonderful concept, but its success depends upon respect for the rights of others, acceptance of and adherence to the rules and a spirit of cooperation.

When you live in a condominium environment, the rules you must abide by are specified in the bylaws of the Corporation and in the policies that the Board sets. Every owner and tenant should have a copy of the bylaws and know what the Corporation is responsible for, what the Owner is responsible for and what each can and cannot do. For example, exterior alterations, or changes to the common property are generally not allowed without prior written approval from the Board. Some communities do not allow pets, or they limit the type and size of pet allowed. What are the rules for parking in visitor parking? Are Satellite dishes allowed?

To see the regulations that exist for your community, visit **Order Documents Online** on this website. The bylaws and other documents are available for purchase. Board policies are located in the Free Documents section.

In order to access Order Documents Online, you will need to know the Condominium Corporation number (CC#). How do you locate this number?

- The Condominium Corporation number, or CC#, is a unique, seven digit number that is assigned to the Condominium Corporation when it is legally registered. It appears on all the documents of the Corporation, such as the bylaws, Budget, Insurance Certificate, Audited Financial Statements, Reserve Fund Study, AGM Minutes and correspondence from the management company.

#### **Can I change the exterior of my unit?**

The bylaws of most condominium corporations specify that changes may not be made to the exterior of units without prior written approval of the Board. If an owner makes changes without this approval, they could be required to restore the unit to its original state at their expense.

#### **I own my balcony, deck, patio or back yard, don't I?**

You must refer to the bylaws of your corporation to determine this. Usually these areas are common or managed property to which the owner is granted exclusive use. The bylaws often specify what can be kept in these areas and any changes to them should have the prior written approval of the Board.

#### **Are pets allowed in condominiums?**

There are condominiums whose bylaws prohibit pets from living in the complex. Those that do allow pets may have restrictions on the types or sizes of animals. Most pets must be approved by the Board subject to the owner adhering to the condominium and municipal bylaws. Animals that are approved can usually have that approval revoked if the bylaws are violated. In these cases the animal could be evicted.

#### **Can a condominium impose age restrictions?**

Yes, some condominium complexes do have age restrictions. Examples are those where the residents must be 18 or older to restrict children, or those that are geared to individuals at, or approaching, retirement. These restrictions will be stated in the bylaws.

#### **I want to install an air conditioning unit, can I do this?**

Refer to the bylaws of the corporation. This is usually found in the "Use and Occupancy Restrictions" section.

#### **I want to install a satellite dish, can I do this?**

Refer to the bylaws of the corporation. This is usually found in the "Use and Occupancy Restrictions" section.

#### **I am selling my unit, can I put up For Sale signs?**

Refer to the bylaws of the corporation. This is usually found in the "Use and Occupancy Restrictions" section.

### **INSURANCE**

#### **Why do I need my own insurance when the condominium corporation has insurance?**

The condominium corporation's insurance is designed to replace the building and its components in case of damage or loss. This insurance does not provide coverage for your personal property, appliances and the contents of your unit, nor does it provide any personal liability coverage for you as an individual. You should review your own insurance needs with your insurance agent to determine that you have adequately protected your personal interests. Some things to discuss with your agent are: buy-down of deductible; living expenses in the event that damage to the condominium makes it uninhabitable while being repaired; insurance for Improvements and Betterments if they are not covered under the corporation's policy.

Check the Insurance section of the bylaws to see whose responsibility it is to insure the Improvements and Betterments.

## **CONDOMINIUM CONTRIBUTIONS AND ASSESSMENTS**

### **What are condominium contributions (fees)?**

The condominium corporation has monthly financial obligations it must meet in order to operate and maintain the common property. The owners share these expenses based on their portion of the annual budget. This is determined by the unit factor of their unit.

### **What is a unit factor?**

Each condominium unit has a unit factor assigned to it. These unit factors determine the portion of the jointly owned common property that is assigned to each unit. The unit factors for each unit are assigned by the developer when the condominium plan is registered. The total unit factors for all units of the condominium corporation must add up to 10,000.

### **What is included in my condominium fee and how is it determined what it will be?**

Before the end of each fiscal year the Board of Directors approves an annual budget for maintenance of the common property. This includes all expenses of the corporation such as landscaping and snow removal, common area electricity, waste removal, building repairs and maintenance, insurance and contributions to the Reserve Fund, to name a few. Each unit is assessed their portion of the total budget expense by using their unit factor.

### **What is a Reserve Fund?**

A reserve fund is money that is set aside by a corporation or property owner in a special account to fund major repair and replacement of building depreciating property components and systems, which deteriorate over time. It is calculated on the basis of expected repair and replacement costs and life expectancy.

A **Reserve Fund Study** report assists condominium corporations in determining the contributions to be made to the Reserve Fund in order to meet future repair and replacement expenses.

To complete this study a visual review of the complex is conducted, a review of recent repairs and replacements and reports are obtained from contractors. Based on the site conditions observed and the reports obtained, the expected remaining life is determined and replacement costs are estimated.

For more information on Reserve Funds visit <http://www.servicealberta.gov.ab.ca/1043.cfm#A8>

### **What is a Special Assessment?**

If the annual contributions towards the common expenses are not sufficient to meet the common expenses, the corporation may assess and collect a special contribution against each unit in the amount required to cover the additional anticipated expenses. This assessment is in addition to the monthly condominium fees. Each owner's contribution is calculated based on the unit factors as is done with the monthly fees.

### **Do condominium owners have to pay property taxes?**

Yes. A condominium unit is a piece of property and applicable taxes will be assessed.

### **How do I start or stop Pre-Authorized Payment (P.A.P.) of my condominium contributions?**

Please visit the **Home Page** and select the **Arrange Pre-Authorized Payment** button.

### **What happens if I don't pay my condominium contributions?**

Payment of owner contributions is essential to ensure the smooth operation of the condominium corporation and its ability to pay common expenses. The corporation has the authority to take actions including filing a caveat against the certificate of title to an owner's unit and commencing a foreclosure action to recover money that is owed.

## **CONDOMINIUM DOCUMENTS**

### **Why do I need to keep the documents that Condominium First sends me?**

When you decide to sell your condominium, your realtor will ask you to provide certain documents for potential purchasers to review. Every year the following documents are mailed to every owner:

- Budget and fee schedule;
- Notice of Annual General Meeting (AGM) and the prior AGM minutes;
- Audited financial statements;
- Insurance certificate for the property.

The following documents are sent only when they are updated:

- Reserve Fund Study – this is done every five years;
- Bylaws – this is only if they change.

If you don't keep the above, when you decide to sell your condominium there will be a cost to you as the owner to have these documents reproduced. You can order any documents you need from our **Home Page** using the **Order Documents Online** button.

## **RENTING YOUR CONDOMINIUM**

### **Can I rent my condominium?**

An owner may rent the condominium unit, but must comply with section 53 of the Condominium Property Act of Alberta. This states that the owner must provide an alternate address and the amount of the rent that will be charged. They also must ensure that their tenants do not cause damage to the common property or contravene the bylaws. The corporation may request up to one month's rent as a deposit from the owner when a unit is rented. Most bylaws require owners who are renting submit a Tenant Undertaking. If there is a Tenant Undertaking requirement in effect for your condominium corporation, you can download the document for free through Condominium First's **Order Documents Online** button located on our **Home Page**. The Condominium Property Act of Alberta is located at:

[http://www.qp.alberta.ca/574.cfm?page=c22.cfm&leg\\_type=Acts&isbncln=9780779737826](http://www.qp.alberta.ca/574.cfm?page=c22.cfm&leg_type=Acts&isbncln=9780779737826)

## **DAY-TO-DAY LIVING**

### **I have lost my unit door key, how can I get another one?**

This is the owner's responsibility. If you do not have access to another key that you can have duplicated, you will have to call a locksmith to make a new key for you.

### **I have lost my mailbox key. Canada Post says I can get another one from Condominium First. Is this true?**

Neither Condominium First nor the corporation has keys to the private mailboxes. If you do not have access to another key that you can have duplicated, you will have to call a locksmith to make a new key for you.

### **My vehicle was broken into or vandalized, what should I do?**

You should report this to the police non-emergency number for your area.

### **My vehicle has been ticketed or towed by the municipal By-law enforcement agency. Who do I call?**

You need to call the local agency that gave you the ticket or towed you. The corporation does not have the authority to reverse the fines or other charges.

### **I have an after-hours emergency, what do I do?**

Call the Condominium First after hours emergency number at (403) 264-7789 (within Calgary calling area) or 1-800-267-6135 (outside the Calgary calling area). For more information select the **Emergency** button located on the **Home Page**.

### **I can't attend the Annual General Meeting (AGM), what should I do to fulfill my obligations as an owner?**

If you are unable to attend the AGM, you should be sure to fill out the proxy that is included in the AGM package that is sent to you by Condominium First. Give it to a neighbour who will be going, a Board member or send it to your Community Manager. This proxy is important to help ensure that quorum is achieved at the meeting. Many bylaws specify that the meeting cannot be held without quorum. A quo-

rum is the number of units and unit factors that need to be represented, either in person or by proxy, in order for the meeting to proceed. This number is stated in the bylaws of the corporation and is often 25% of the units representing 2500 unit factors.)

**I need to have my kitchen, bathroom or other taps repaired. Who's responsibility is this?**

It is the owner's responsibility to repair the taps. Owners should also make sure they know where the shut-off valves are to the various water supplies. If shut-off valves don't exist, it is recommended they be installed. This is important so that water can be turned off in an emergency or for repairs. Without shut-off valves it is sometimes necessary to shut down an entire building to make a minor repair. This is an expense to the owner.

**How do I change my mailing address?**

Please go to the **Update Owner Contact Information** in the **Client Care** section of this website.

**I have just purchased a condominium and need to know what the condominium contributions are. How do I find out?**

The seller should have provided you with important documents of the corporation, one of which should have been the annual budget. Confirm that it is for the current year and then find your unit number on the attached contribution schedule to see what the fees are for that unit. If you do not have the budget, you may order it through our **Order Documents Online** by selecting this button on our **Home Page**.

**One of my appliances is not working (i.e. fridge, stove, microwave, washer, dryer), what do I do?**

The appliances located within the unit are the responsibility of the owner to maintain, repair and replace.

**Is the Calgary Blue Box recycling program available to people who live in condominiums?**

Multi-family residences with more than 4 units will not receive Blue Cart service. If you do not receive the service, you will not be charged for it.