



CONDOMINIUM AUTHORITY OF ONTARIO (CAO)

PRESENTATION FOR CONDOMINIUM BOARDS



BACKGROUND

- Based on feedback from condo community stakeholders, the *Protecting Condominium Owners Act* (PCOA) was passed in 2015
- The PCOA amends the *Condominium Act, 1998*, enacts the *Condominium Management Services Act, 2015*, and establishes two new administrative authorities:
 - *The Condominium Authority of Ontario (CAO)*
 - *The Condominium Management Regulatory Authority of Ontario (CMRAO)*



THE CAO

- The CAO is an administrative authority under the *Condominium Act, 1998*, which means that it is:
 - An independent, not-for-profit organization
 - Managed by an independent Board of Directors
 - Responsible for carrying out obligations specified by government in the *Condominium Act, 1998*, and associated regulations
 - Funded by condominium corporations; all funds are used to deliver services to condominium communities
 - Is accountable to the Ministry of Government and Consumer Services for reporting on its operations and performance, through business plans, budgets, annual reports, and other regular reports



THE CAO'S MANDATE

- The CAO launched on September 1, 2017, providing new services for condo communities. These include:
 - easy-to-use information to help owners and residents understand their rights and responsibilities
 - free online resources to help people identify and resolve common issues before those issues escalate into disputes
 - [mandatory training](#) for all condo directors elected or appointed after November 1, 2017
 - resources to help condo owners and residents resolve common issues
 - an online dispute resolution service through the new [Condominium Authority Tribunal \(CAT\)](#)



CONDO DIRECTOR TRAINING

- As of November 1, 2017, all condominium directors in Ontario must complete the [CAO's director training program](#) within 6 months of being appointed, elected, or re-elected to a board (unless they previously completed the training within the preceding seven years)
- The training, provided by the CAO through its website, is available to everyone, free of charge, and covers many relevant topics, including director responsibilities and obligations
- The training does not contain a formal exam or test, but there are knowledge checks throughout
- If a director does not complete the training within 6 months of being appointed, elected, or re-elected, they immediately cease to be a director of the corporation, as set out in a regulation to the *Condominium Act, 1998*
- Over 5,000 people have already completed the training, and more than 90% of trainees who have provided feedback say the content was valuable and easy to navigate



CONDOMINIUM AUTHORITY TRIBUNAL (CAT)

- [The Condominium Authority Tribunal](#) or CAT is a new online tribunal that helps to resolve condominium-related disputes. The CAO developed the Condominium Authority Tribunal Online Dispute Resolution system (CAT-ODR) to help people resolve their disputes conveniently, quickly, and affordably
- CAT has a three-stage dispute resolution process to encourage Users to work collaboratively to resolve their issues, while still providing formal decision making by an impartial Tribunal Member. The three stages are:
 - Stage 1 - Negotiation; Stage 2 - Mediation; and Stage 3 - Tribunal Decision
- [A new regulation](#) to the *Condominium Act, 1998*, sets out the types of disputes that can be filed with the CAT. At this time, only Section 55 “records disputes” can be filed with CAT
- Other disputes can continue to be addressed through mediation, arbitration, or the courts



CONDO RETURNS

- [O. Reg. 377/17](#): Condominium Returns under the *Condominium Act, 1998*, requires all condo corporations to file [condo returns](#) with the CAO. Filing a condo return means providing specified key information about the corporation
- Condo corporations are legally required to file a Notice of Change with the CAO when information filed in a return has changed. The Notice of Change is to be filed within 30 days of the change(s) and must indicate what information changed and when the change(s) took effect
- The CAO is supporting condo corporations to meet their new Condo Return legal requirements through a user-friendly online filing system, instructional emails, helpful step-by-step guides, and staff who can assist corporations at any stage of the Condo Returns or Notice of Change process



PUBLIC REGISTRY

- On April 1, 2018, the CAO launched its searchable [public condo registry](#) to safeguards to provide transparency and enhance consumer protection for existing and future condo buyers by publishing current information on all condo corporations across Ontario
- The CAO maintains this searchable public registry in accordance with the *Condominium Act, 1998* and [O. Reg 377/17](#)
- This public registry displays information that is prescribed by regulation and provided by condo corporations to the CAO through the filing of condominium returns and notices of change



FEES

- The CAO charges assessment fees to all condominium corporations in Ontario to fund its services to condo communities
- Assessment fees are calculated based on \$12 per unit, per year (or per vote for common elements condominium corporations) – HST is not charged on assessment amounts
- According to the *Condominium Act, 1998*, the total assessment fee for each condominium is to be considered part of the corporation's common expenses
- Assessment fees are calculated by voting units, but individual condo owners are to be charged based on the percentage that they contribute to the common expenses, as set out in the condominium corporation's declaration
- If a condominium corporation fails to pay the assessment fees, the corporation may be subject to administrative financial penalties, and may be unable to participate in a case before the Condo Authority Tribunal or any other court in Ontario without leave from the court. Information regarding pending compliance or legal matters involving the condo corporation, will appear on the CAO's public registry.



WHAT'S AHEAD

- The CAO's current offerings are only the beginning. Throughout its first full year of operations, (2018/19) the CAO will be:
 - Gathering feedback from condo communities to better understand and respond to their needs
 - Increasing and improving the information, tools and resources available on the CAO's website
 - Refining the mandatory director training program
 - Expanding the functionality and capacity of the Condominium Authority Tribunal
 - Continuing to support condo communities so they can better enjoy their home



QUESTIONS?

Visit our website at: www.condoauthorityontario.ca

Contact the CAO by email at: info@condoauthorityontario.ca

Or call us at 416-901-9356 or 1-800-854-9014 (toll-free)

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