



CONDOMINIUM AUTHORITY OF ONTARIO (CAO)

PRESENTATION FOR CONDOMINIUM BOARDS



BACKGROUND

- In 2012, the Ontario government initiated extensive review of province's [Condominium Act, 1998](#)
- The [Condominium Act Review](#) was an intensive 18-month public engagement process, resulting in over 2,000 submissions and 200 recommendations
- The product of the review was the [Protecting Condominium Owners Act, 2015](#) (PCOA)
- The PCOA amended the *Condominium Act, 1998*, enacts the [Condominium Management Services Act, 2015](#), and paved the way for the creation of 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 created under the *Condominium Act, 1998*, which means that it is:
 - An independent, not-for-profit organization
 - Managed by an independent Board of Directors
 - Funded by condominium corporations and users of its services
 - 100% of funds collected are used to deliver the CAO's services
 - Responsible for carrying out the responsibilities delegated to it by the government in the *Condominium Act, 1998*, and its regulations
- The Ministry of Government and Consumer Services is accountable for the performance of the CAO and is responsible for reviewing annual reports, business and strategic plans (including budgets), and ongoing monitoring and oversight



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 \$1 per month, per voting unit (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, may be unable to maintain a dispute before the CAT, and the information may be made public on the CAO's future registry



THE CAO'S MANDATE

- The CAO was 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 the content
- 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 3,000 people have already completed the training, and more than 90% of trainees who provided feedback said the content was valuable and easy to navigate



CONDOMINIUM AUTHORITY TRIBUNAL (CAT)

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- [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 (CAT-ODR) to help people resolve their disputes conveniently, quickly, and affordably



CONDOMINIUM AUTHORITY TRIBUNAL (CAT) – CONT'D

- 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:
 - Negotiation
 - Mediation
 - 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, though we expect that the government will add more dispute types in the near future
- Other disputes can continue to be addressed through mediation, arbitration, or the courts.



CONDO RETURNS

- A new [government regulation](#) 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
- There are four different types of returns. The number and type of returns that each corporation must file depends on the date that the corporation was created and when its turnover meeting was held
- Starting in March 2018, returns can be filed through the CAO's website starting in March 2018
- Beginning in April 2018, the CAO will be required to publish on its website the information that it receives in returns



WHAT'S AHEAD

- The CAO's current offerings are only the beginning. In the year ahead (2018/19) the CAO will be:
 - Gathering feedback from condo communities to better understand and respond to their needs
 - Increasing and improving the information and resources available on the CAO's website
 - Refining the mandatory director training
 - Expanding the functionality and capacity of the Condominium Authority Tribunal
 - Doing more outreach and consultations



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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