

**Status certificate in amalgamation**  
**(Under clause 120 (3) (C) of the *Condominium Act, 1998*)**

*Condominium Act, 1998*

IN THE MATTER OF a Proposed Amalgamation of .....  
(*names of amalgamating condominium corporations*)

The purpose of this certificate is to provide information to the owners of the amalgamating corporations to assist them in making a decision on whether to consent to the amalgamation.

.....(*name of one of the amalgamating condominium corporations*)

Condominium Corporation No. .... (known as the "Corporation") certifies that as of the date of this certificate:

**General Information Concerning the Corporation**

1. Mailing Address: .....

2. Address for Service: .....

3. Name of property manager: .....

Address: .....

Telephone number: .....

4. The directors and officers of the Corporation are:

Name	Position	Address for Service	Telephone Number
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.....

**Common Expenses**

5. [*Strike out whichever is not applicable:*

There is no default in the payment of common expenses by any of the owners.

OR

The owners of the following units in the Corporation are in default of payment of common expenses in the following amounts:

Unit	Level	Suite number	Amount
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.....

(*indicate whether a certificate of lien has been registered against each unit*)

6. The Corporation has the amount of \$..... in prepaid common expenses from the owners.

7. There are no amounts that the *Condominium Act, 1998* requires to be added to the common expenses payable by the owners [*if applicable add:*

except ..... (*set out details and provide brief description*)].

**Budget**

8. The budget of the Corporation for the current fiscal year is accurate and may result in

*(Strike out whichever is not applicable:*

a surplus of \$.....

OR

a deficit of \$.....).

9. *[Strike out whichever is not applicable:*

Since the date of the budget of the Corporation for the current fiscal year, the common expenses have not been increased.

OR

Since the date of the budget of the Corporation for the current fiscal year, the common expenses have been increased by \$.....for the year because .....  
*(set out the reason for the increase)].*

10. *[Strike out whichever is not applicable:*

Since the date of the budget of the Corporation for the current fiscal year, the board has not levied any assessments to increase the contribution to the Corporation’s reserve fund.

OR

Since the date of the budget of the Corporation for the current fiscal year, the board has levied the following assessments to increase the contribution to the Corporation’s reserve fund: ..... *(set out the amounts and the reason for the assessments)].*

11. The Corporation has no knowledge of any circumstances that may result in an increase in the common expenses *[if applicable add: except .....  
(give particulars of any potential increase arising as a result of the proposed amalgamation or otherwise, including any assessment, and the reason for it)].*

**Reserve Fund**

12. The Corporation’s reserve fund amounts to \$..... as of .....  
*(specify a date that is no earlier than at the end of a month immediately before the date of this certificate).*

13. The most recent reserve fund study conducted by the board was a .....  
*(specify the class of reserve fund study) dated .....and prepared by ..... (name of person who conducted the reserve fund study).*

14. *(If the board of the Corporation has not sent a notice to the owners under subsection 94 (9) of the Condominium Act, 1998 after receiving the reserve fund study described in paragraph 13, include the following paragraph:)*

The balance of the reserve fund at the beginning of the current fiscal year was \$ ..... In accordance with the budget of the Corporation for the current fiscal year, the annual

contribution to be made to the reserve fund in the current fiscal year is \$....., and the anticipated expenditures to be made from the reserve fund in the current fiscal year amount to \$ ..... . The board anticipates that the reserve fund will/will not be adequate in the current fiscal year for the expected costs of major repair and replacement of the common elements and assets of the Corporation.

15. *[If the board of the Corporation has sent a notice to the owners under subsection 94 (9) of the Condominium Act, 1998 after receiving the reserve fund study described in paragraph 13, include the following statements and a copy of the most recent notice for one of the units with this certificate and show it in the list of documents forming part of this certificate:*

The board has sent to the owners a notice dated ..... (*date of the most recent notice*) containing a summary of the reserve fund study, a summary of the proposed plan for future funding of the reserve fund and a statement indicating the areas, if any, in which the proposed plan differs from the study. The proposed plan for future funding of the reserve fund has not been implemented because ..... (*give reason*).

OR

The proposed plan for future funding has been implemented and the total contribution each year to the reserve fund is being made as set out in the Contribution Table included in the notice (*if applicable add: except ..... (set out why contributions are not being made in accordance with the Contribution Table and whether this will be addressed and, if so, in what manner)*).

16. There are no plans to increase the reserve fund under a plan proposed by the board under subsection 94 (8) of the *Condominium Act, 1998*, for the future funding of the reserve fund [*if applicable add: except ..... (give details of any increase, including any increase in the common expenses or any assessments)*].

#### **Legal Proceedings, Claims**

17. There are no convictions against, or rulings, orders or judgments in favour of or against the Corporation [*if applicable add: except ..... (give brief particulars and, if applicable, amount)*].
18. The Corporation is not a party to any proceeding before a court of law, an arbitrator or an administrative tribunal [*if applicable add: except ..... (give brief particulars and the status of those proceedings to which the Corporation is a party)*].
19. The Corporation has not received a notice of an application under section 109 of the *Condominium Act, 1998* to the Superior Court of Justice for an order to amend the declaration and description, where the court has not made the order [*if applicable add: except.....(give particulars)*].
20. The Corporation is not aware of any criminal or quasi-criminal liabilities to which it may be subject.

21. The Corporation has no outstanding claim for payment out of the guarantee fund under the *Ontario New Home Warranties Plan Act* [if applicable add: except.....  
.....(give brief particulars and the status of any claims that have been made)].

22. [Strike out whichever is not applicable:

There is currently no order of the Superior Court of Justice in effect appointing an inspector under section 130 of the *Condominium Act, 1998* or an administrator under section 131 of the *Condominium Act, 1998*.

OR

There is currently an order of the Superior Court of Justice in effect appointing an inspector under section 130 of the *Condominium Act, 1998* or an administrator under section 131 of the *Condominium Act, 1998*. (If applicable, include a copy of the order with this certificate and show it in the list of documents forming part of this certificate)].

#### **Agreements with owners relating to changes to the common elements**

23. [Strike out whichever is not applicable:

No unit is subject to an agreement (or agreements) under clause 98 (1) (b) of the *Condominium Act, 1998* relating to additions, alterations or improvements made to the common elements by the unit owner.

OR

The following units, ..... (set out the description of the units), are subject to an agreement (or agreements) under clause 98 (1) (b) of the *Condominium Act, 1998* relating to additions, alterations or improvements made to the common elements by the unit owners. To the best of the Corporation's information, knowledge and belief, the agreements have been complied with by the parties (if applicable add: except .....(give particulars)].

#### **Leasing of Units**

24. [Strike out whichever is not applicable:

The Corporation has not received notice under section 83 of the *Condominium Act, 1998*, that any unit was leased during the fiscal year preceding the date of this certificate.

OR

The Corporation has received notice under section 83 of the *Condominium Act, 1998*, that ..... (set out the number) ..... unit(s) was (were) leased during the fiscal year preceding the date of this certificate.]

#### **Substantial changes to the common elements, assets or services**

25. There are no additions, alterations or improvements to the common elements, changes in the assets of the Corporation or changes in a service of the Corporation that are substantial and that the board has proposed but has not implemented [if applicable add: except ..... (give a brief description and a statement of their purpose)].

#### **Insurance**

26. The Corporation has secured all policies of insurance that are required under the *Condominium Act, 1998*.

**Attachments**

27. The following documents are attached to this certificate and form part of it:

- (a) a copy of the budget of the Corporation for the current fiscal year, its last annual audited financial statements and the auditor’s report on the statements;
- (b) a list of all current agreements mentioned in section 111, 112 or 113 of the *Condominium Act, 1998* and all current agreements between the Corporation and another condominium corporation or between the Corporation and any owner, that includes the names of the parties, a brief description of the nature of the agreement, its duration and approximate value;
- (c) a list of the assets of the Corporation, a description of the services that the Corporation provides to the owners and the facilities included in the common elements;
- (d) a list of the warranties of the Corporation;

*[if applicable add the following items:*

- (e) a copy of a notice dated ..... (*date of the most recent notice*) containing a summary of the reserve fund study, a summary of the proposed plan for future funding of the reserve fund and a statement indicating the areas, if any, in which the proposed plan differs from the study;
- (f) a copy of an order appointing an inspector under section 130 of the *Condominium Act, 1998* or an administrator under section 131 of the *Condominium Act, 1998*; and
- (g) a copy of all applications made under section 109 of the *Condominium Act, 1998* to amend the declaration or description for which the court has not made an order.]

Dated this ..... day of ....., .....

.....Condominium Corporation No. ....

.....  
(signature)

.....  
(print name)

.....  
(signature)

.....  
(print name)

*(Affix corporate seal or add a statement that the persons signing have the authority to bind the corporation.)*