

Status Certificates - A Checklist of Legal Considerations

- Is the owner in arrears (including any chargeback)? [[Paragraph 5](#)]
- Is there an outstanding or potential chargeback against the unit? [[Paragraphs 8 and/or 12](#)]
- Is a budget deficit anticipated? [[Paragraph 9 and perhaps Paragraph 12](#)]
- Has any special assessment been levied (in the current year or previously)? [[Paragraph 6 and perhaps Paragraph 11](#)]
- [Paragraph 12](#):
Is there any known risk of an increase in common expenses or a special assessment for the particular unit?
 - Is there a significant accumulated operating deficit?
 - Has an actual expense (reserve or operating) significantly exceeded the predicted or budgeted amount?
 - Has an actual expense (reserve or operating) occurred earlier than predicted?
 - Is the reserve fund significantly off track (in comparison to the current reserve fund study / plan)?
 - Has a new, unexpected problem been discovered?
 - Has the Corporation become involved in a legal proceeding, or is the Corporation facing a potential legal proceeding, either of which could result in increased expenses (beyond current budgeting / planning)?
 - Have you discovered anything else that could increase future expenses?
 - Have you discovered anything else that could cause future expenses to be incurred earlier than currently predicted?
 - Are you aware of a problem with the particular unit?
 - Could there be a chargeback against the particular unit?
 - Is there an outstanding chargeback against the particular unit?
- [Paragraph 13](#):
Consider adding the following sentence:
Note: This figure is unaudited and does not include any accrual calculation for work done on behalf of the corporation but not paid by the corporation as at the aforementioned date.
- [Paragraph 15](#) no longer applies once the corporation has sent out a Notice of Future Funding. In that case, consider the following words:
N/A (Paragraph 15 is not applicable in cases where the condominium corporation has delivered a Notice of Future Funding).
- [Paragraph 17](#):
If appropriate, add the following phrase at the end of the paragraph:
except see the attached Notice of Future Funding and see also paragraph 12.
- Is there an outstanding judgment against the Corporation? [[Paragraph 18](#)]
- Is the Corporation involved in a legal proceeding? [[Paragraph 19](#)]
- Is an amendment to the Declaration being considered? [[Paragraph 20](#)]
- Does the Corporation have any Tarion warranty claims? [[Paragraph 21](#)]
- Has an inspector or administrator been appointed? [[Paragraph 22](#)]
- [Paragraph 23](#):
Consider adding the following:

Note: This is simply a list of the modifications known to the Corporation. Other modifications, not known to the Corporation, may have been made without approval of the Corporation and accordingly may not be lawful.

The owner of the unit, from time to time, is entirely responsible for all permitted modifications made to the common elements by the owner or by a previous owner of the unit. Accordingly, the owner of the unit, from time to time, is responsible for all maintenance, repair and insurance related to such modification(s) and must fully and completely indemnify and save harmless the corporation from any claims, expenses or losses related in any way to the modification(s). Without limiting the generality of the foregoing, the Owner shall be responsible for all costs and expenses incurred in order to remove the modification to afford the Corporation access to any portion of the property (for the purposes of carrying out repair or maintenance, or for any other reason) as well as reinstatement of the modification (if desired), and the Corporation shall have no obligation for any damage which may be caused to the modification as a result of any such required access.

When a unit is sold, it is the responsibility of the purchaser to determine what modifications have been made to the common elements by the vendor or by a previous owner of the unit. [NOTE: Section 98 of the Condominium Act applies only to modifications made on or after the date the Act came into force (May 5, 2001).]

[IF APPLICABLE: See also: By-law No. ____ (including all amendments thereto) and the Rules of the Corporation.]