

WINTER 2024

CondoChronicle

NEWSLETTER OF THE CCI NEWFOUNDLAND AND LABRADOR CHAPTER

INSIDE THIS ISSUE...

Message from the Board

**Carriagehouse Condominium: An Historical
Downtown Property with a Varied Industrial
Heritage**

Condominium Director Training Strategies

**Overview of the Latest Update to the
Condominium Information Program**

Some Thoughts on Condominium Legislation

**Commercial Condominium Insurance
Thoughts For 2024**

**We've Only Just Begun: The Quest to Make
Our Building Electric Vehicle (EV) Ready**



Canadian Condominium Institute
**NEWFOUNDLAND AND
LABRADOR CHAPTER**
P.O. Box 23060
Churchill Square
St. John's, NL A1B 4J9

2023-2024 BOARD OF DIRECTORS

**PRESIDENT
Carol Burke**

Condominium Resident/Real Estate
Broker/Property Manager
Burke Realty
carolburke@gmail.com

**VICE-PRESIDENT
Ann Marie Hann**

Condo Corp. President
amhann1@outlook.com

**TREASURER
David Cumming**
Condominium Owner
dwc1463@gmail.com

**SECRETARY
Carla Power**
Real Estate Agent
Property Manager
condominiums@burkerealty.ca

DIRECTORS

Geoff Penney, LCCI/ACCI, LLB
Past President, CCI-NL Solicitor,
Benson Buffett
gpenney@bensonbuffett.com

Sam Banfield
Condo Owner
sam.banfield@nl.rogers.com

Ches Peach
Condo Owner
chespeach@nl.rogers.com

MESSAGE FROM THE BOARD OF DIRECTORS

CCI NEWFOUNDLAND AND LABRADOR CHAPTER

Greetings to our CCI-NL Members,

Welcome to the 2024 Winter edition of our newsletter. At the 2023 Annual General Meeting held Nov 21, 2023 at the Johnson Geo Centre, the Chapter celebrated 20 years of providing support, condominium education and meaningful services to the members of CCI-NL.

Over the past year we have improved our CCI-NL web page by adding an expanded Trade Directory, improved and updated the resources in the Condominium Information Program (NL-CIP) as well as slowly increasing our membership. In addition to our own Seminars, we continue to offer you virtual seminars from Nova Scotia Chapter (CCI-NS) and elsewhere. During the AGM, we replaced four out of seven of our long serving Directors with new Directors in an effort to stimulate the Chapter Board with individuals with experience and new ideas. The Chapter has funds to support a Chapter Administrator as well as a Web Administrator responsible for our web site. Financially we have more assets in our bank account than at any time since the inception of the Chapter in 2003. Thus administratively and financially, the Chapter looks forward to embarking on the next 20 years with confidence and optimism.

If you have any suggestions for future Newsletter articles or seminar topics, we are always happy to hear your ideas.

On behalf of our Board of Directors, we thank you for your continued support of CCI-NL.

Yours sincerely,
David Cumming, CCI-NL

The opinions expressed in these articles are those of the author(s) and do not necessarily represent or reflect the views of CCI Newfoundland and Labrador Chapter. These articles may not be reproduced, in whole or in part, without acknowledgment to the author(s).

Carriagehouse Condominium: An Historical Downtown Property with a Varied Industrial Heritage

By David Cumming, CCI-NL

The history of the Carriagehouse Condominium building can be traced back to the ambitions of two brothers - James and Thomas Lawrence originally from Bonavista. Both brothers moved to St. John's in 1870 and entered the employ of the established carriage builder Samuel Carnell – James serving his time as a Blacksmith while Thomas was a Wheelwright. Around 1882, James and Thomas Lawrence decided to set up their own carriage factory on Victoria St.

A flourishing business was conducted at this location up to the time of the Great Fire of 1892. Following the conflagration, the brothers quickly established themselves in the more spacious premises they erected on Gower Street - starting construction in late 1892 and likely completing the initiative by late 1893.

In St. John's – transportation in the early part of the last century was dominated by horse drawn carriages and a streetcar system operated on narrow gauge rails from 1900 to 1948. Below is an image of these two basic forms of transportation.



A streetcar and horse drawn vehicle at the west end of Water Street near the Crossroads, intersection of Topsail and Waterford Bridge Road. City of St. John's Archives, Photo # 01-23-008 (C.1925)

Meanwhile, automobiles began to slowly replace horse-drawn vehicles. The first automobile to arrive in St. John's

was a Rolls Royce imported from London by Robert Reid, Jr., in 1903. Since only wealthy merchants and professionals could afford these luxury items; it was not until after the Second World War that a great influx of automobiles occurred.

The Lawrence Brothers factory on Gower St. initially specialized in building horse drawn carriages using skilled employees including wheelwrights, upholsterers, blacksmiths etc. With the advent of the automobile, however, carriage factories were compelled to diversify their product line and carriage production declined to negligible levels in the 1940s as more automobiles arrived in Newfoundland.

As such, the factory owned by the Lawrence Brothers began specializing in making trunks, suitcases, caskets, coffins as well as racing boats for the annual St. John's Regatta as they possessed the tools, machinery and skilled workforce to build these different products.

As early as 1912 there is a Mr. Lawrence, undertaker, sailing on the SS *Algerine* retained by The White Star Line to search for bodies from the sunken RMS *Titanic*. Mr. Lawrence is listed as operating at 139 Gower St and was aboard the *Algerine* during the recovery of the last body retrieved from the '*Titanic*' - that of Saloon Steward James McGrady.

From *The Evening Telegram* dated July 22, 1936: Thousands turned out to attend the parade in connection with the removal of two new 4-oared race boats from the Lawrence Brothers factory on Gower St. down to Quidi Vidi Lake for the launching of the "Freedom" and "Buttercup". ...willing hands from the Longshoreman's Union brought the boats out of the factory. As the parade lined up, a cheer went up for their success from the large crowd which by this time had gathered. The boats were then flanked on either side by members of the Church Lads' Brigade (CLB) Naval Company as the parade moved off to the pond for the christening

ceremony.tremendous interest was manifested in the ceremony and the performance of the boats after they were placed in the water. The various crews which had their first spins in the new boats last night found both entirely satisfactory.



Rear View of 139 Gower St – date 1988 with lettering 'LAWRENCE BROTHERS' noted on the building. City of St. John's Archives Photo # 11-05-279

In the early 1950s, the classified section of the city telephone directory listed the Lawrence Bros. in two categories – “Carriage Builders” and “Funeral Directors and Embalmers”.

Information obtained within an affidavit from businessman Harold Duffett of St. John's regarding the conveyance of a parcel of land situate at 139 – 141 Gower

St. from Lawrence Brothers Ltd. when the company was dissolved in 1959 through a number of successive owners to Eastern Capital Corporation Ltd.:

Upon liquidation of Lawrence Brothers Ltd. in 1959, their property was transferred to Graham Mercer. Mercer Brokerage Ltd. operated the business of manufacturers' agents and commission merchants.

In 1967, Graham Mercer acquired the land adjacent to the west side of 139 Gower St. and demolished the existing residential structure as well as levelling the land. Thereafter the land was used as a private parking lot for the exclusive use of Mercer Brokerage Ltd, its employees and invitees.

In 1974, Graham Mercer transferred ownership of his property on Gower St. to Business Services Ltd.

In 1981, Business Services Ltd. transferred ownership of the Gower St. property to Eastern Capital Corp Ltd.

On April 30, 1998, the property on 139 and 141 Gower St. were sold to Reardon Construction and Development Ltd. With the renovation of the property into a condominium with resident parking available on the west side to be used by the owners of the condominium corporation.

The civic number 139 - 141 Gower St was incorporated Nov 17, 1998 as The Carriagehouse Condominium Corporation - a 14 Unit apartment style condominium.



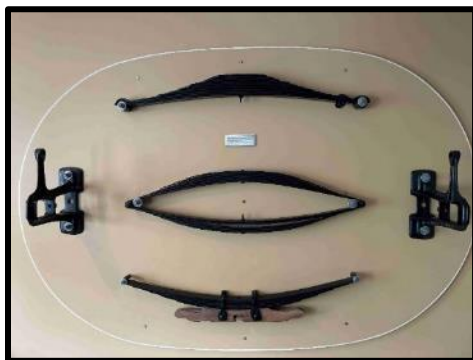
The Carriagehouse Condominium Corporation Today



It is obvious by the number of carriage factory related artifacts displayed on the interior Common Element walls of the building that Gary Reardon, developer of The Carriagehouse Condo Corp, had a keen interest in preserving the carriage factory history of the property.



Example Types of Carriage

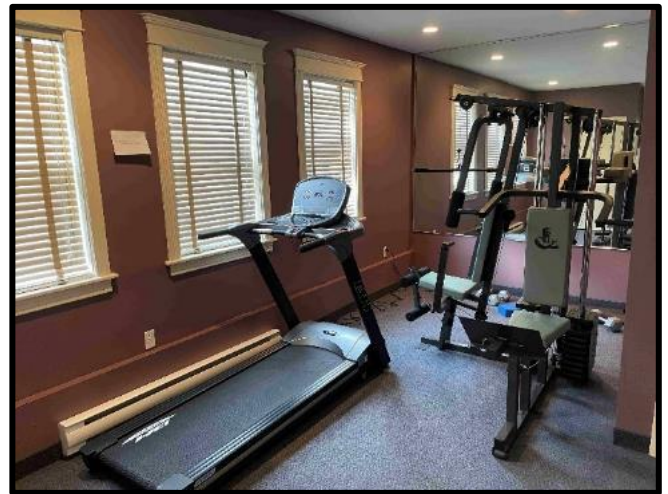


Carriage Springs: These springs were recovered from below an old floor at the rear of the building during the renovation.

The Carriagehouse is currently managed by a Board of three Directors supported by a full- service property management company. The Corporation has no employees. Seven of the 14 units are owner occupied, seven units are leased. The units vary in size from 86 to 101 m² – or roughly 1,000 ft.² each.

The Corporation’s by-laws permit the residents to have a small pet – including a fish, a bird, or one dog or cat of reasonable size. A common room with couch, chairs and

a table is available for functions to benefit all residents. Common areas include an exercise room with a treadmill and multi gym on the main floor and storage locker on the lower level of the building.



Exercise Room

The downtown location is considered an attractive feature of the property within walking distance to local shopping, restaurants and entertainment. The small number of Units are conducive to a quiet living environment.



Tasteful Planter – Front of Building

Major issues facing the Board of Carriagehouse: recruiting/retaining Board members, property security, escalating condo fees, high specific expenses such as property management, common element maintenance costs, snow clearing/ice control, obtaining/cost of insurance while maintaining the requisite Reserve Fund is another challenge. Balancing condo fees amid ever increasing insurance costs over the last few years is having an impact on the overall budget.

Carriagehouse has only 10 off-street parking spaces

available for 14 owners – initially allocated to the first owners to purchase units. There was a time when the City of St. John’s would enforce parking and ticket vehicles parked without authorization on private parking lots. This practice has since been discontinued and now there is occasionally unauthorized parking on the property inconveniencing the residents.

Snow clearing and ice control is always a challenge especially after a heavy snow fall. Vehicles must be

moved off the lot in a timely manner to permit a contractor to clear the snow. Avoiding an expensive removal of snow by heavy equipment is a priority.

Thus, under the direction of the Board of Directors supported by the owners and the property manager, this small Condominium Corporation has evolved into a quiet living space in a desirable location in downtown St. John’s.



South side of the Carriagehouse Condo property with a spectacular view overlooking St. John’s Harbour and The Narrows

Relevant St. John’s Carriage Factory Reference:
<https://journals.lib.unb.ca/index.php/MCR/article/view/17334/22649>

The author would like to acknowledge the input of the following in the preparation of this article:

- *Board of Directors, The Carriagehouse Condominium Corporation*
- *Suzanne Sexty, Honorary Research Librarian, Queen Elizabeth II Library, Memorial University of Newfoundland, St. John's, NL for assistance in*

securing information on the history of this property.

- *Gary Reardon, Property Developer, 139 – 141 Gower St. St. John's for information on the property.*
- *Paula French, Archives Technician, Archives & Records Management, City of St. John's Archives, F. Burnham Gill Archival Center for providing photos as well as information relevant to the Article.*

Condominium Director Training Strategies – CCI-NL

By David Cumming, CCI-NL

The overall assertion regarding Condominium Director education at CCI-NL is that:

- Facilitating the education of condominium directors is among the most important roles of the CCI-NL Chapter.
- All condo directors are encouraged to take advantage of condo education opportunities to enhance their ability to better serve their condominium community.
- Ideally, condominium director's education should be available to all our CCI-NL members no matter where they live in the province.

In Ontario, under the Condominium Authority of Ontario (CAO):

- *Condominium Directors have important responsibilities, duties and obligations. Directors must complete the training within six months of being elected, appointed, or re-elected unless they have completed the training within the preceding 7 years.*
- *The online training is available to anyone at any time and includes 21 easy-to-follow e-modules that cover important topics and can be taken at your own pace.*
- *The CAO also offers advanced optional training on the following six topics: Condominium governance, emergency planning & preparedness, finance, issues management, overseeing condominium managers and procurement.*

Condominium Director training is not a legal requirement in Newfoundland & Labrador; however, the members of CCI-NL's Board are well aware of the complex demands of managing a multi-million dollar property asset on behalf of the owners of a Condominium Corporation and strongly recommend that all elected Directors take our Director's Course as soon as practical after their election to the Board to better serve their constituency.

CCI-NL Director's Course Description:

The **Condominium Directors Course** is a course about the unique attributes of the highly regulated world of

condominium property including outlining the governing authority, the corporate structure of condominiums and how condominiums are managed. The Course was designed by the CCI-NL Chapter specifically for the education of individuals elected to manage condominiums in our province.

The Director's Course cost to CCI-NL members is \$27.50; non-members is \$47.50. Individual registration and payment by credit card only.

Course participants are encouraged to prepare themselves by reviewing the primary legislation related to condominiums – namely the Condominium Act, 2009 C-29.1 (assented December 22, 2009, came into force as of December 1, 2011), with subsequent amendments, available on the web at:

<https://assembly.nl.ca/Legislation/sr/statutes/c29-1.htm>

as well as the associated Condominium Regulations at: <https://assembly.nl.ca/Legislation/sr/regulations/rc110080.htm>

In addition to the Condominium Act, it is also of particular importance in the understanding of how condominium corporations are governed by reading and comprehending the following sections of the Act listed below in order of importance:

Declaration (Section 9) and (Section 10 - amending process). Is a fundamental document that establishes the existence of and further governs the use and maintenance of a condominium property.

Description (Section 11) and (Section 12 - amending process). Details the layout and location of the given condominium property. It includes a survey of the land and building(s) in addition to detailed architectural/structural drawings.

By-laws (Section 35) Is a self-governing document pertaining to the use, maintenance, management and administration of the property and assets of the Corporation.

Common Element Rules (Section 36) Provides for the usage of the Common Elements for the purpose of preventing unreasonable interference with the use of the Units and Common Elements.

Information on our Director's Course is available on our CCI-NL web site:

<https://cci-newfoundland.ca/resources/cci-nl-directors-course>

A brief outline of the Condominium Director's Course is provided as follows:

Chapter 1: CONDOMINIUM CONCEPTS

Includes: an outline of the history of condominiums in NL, description of a condo & how a condo is created, basic elements of a condo and an explanation of Corporation concepts.

Chapter 2: GOVERNING AUTHORITY, STRUCTURE, ROLES AND RESPONSIBILITIES

Includes: an outline of the governing authority and corporate structure of a condo, description of the Board of Directors, standard of conduct and ethics facing Boards and Property Managers, the role of the Board.

Chapter 3: MANAGEMENT STYLES

Includes: a description of the policy and management roles of the Board, describes different management styles, how to assess management needs, how to choose and implement an appropriate management style and how to change the management style.

Chapter 4: MANAGEMENT ISSUES

Includes: an explanation of administration issues (schedules, records, document storing/filing), financial issues (accounting, financial statements, bank accounts), insurance and risk management, description of the duty to maintain and repair, the Reserve Fund Study and components of the physical property, creating a positive community atmosphere and dealing with professionals.

Chapter 5: MEETINGS

Includes: organizing effective meetings, conducting (using Robert's Rules of Order) a Board Meeting – agenda and rules of order, differences between Extraordinary and Annual General Meetings, wording, amending and passing of motions, description of who can vote and how they vote at condo meetings as well as the role of the Property Manager at condo meetings.

Appendix A: Typical Standard Unit Definition

Appendix B: Example Estoppel Certificate

Appendix C: Typical Resident Information Package

Appendix D: Typical Property Management Contract

Appendix E: Example Fire Safety Plan

Over the last several years, the following three options for accessing the Condominium Director's education from CCI-NL have been used to convey condo education:

- 1) Online Course
- 2) Virtual Course using the ZOOM platform
- 3) In Person Course

Online Director's Course

The online course is designed as a self-paced reading assignment with comprehension questions at the end. The current *.PDF file format is deemed to be appropriate for this intent.

Advantages:

- The participant can take the self-paced course on their own time.
- Assuming the participant has access to an Internet connection and has a computer, they can take the course from anywhere in the province.

Disadvantages:

- The course is not interactive although the participant can ask written questions via e-mail and will receive a reply normally within 24 hours.

Virtual Director's Course

CCI-NL has provided the Director's Course using the ZOOM virtual platform. (ref:

https://en.wikipedia.org/wiki/Zoom_Video_Communications)

The Course is usually taught in two Chapter segments during a weekday evening with generally less than 10 participants for the same cost as the online Course.

Advantages:

- Assuming the participant has access to an Internet connection and a computer, they can take the course from anywhere in the province (in fact on one occasion one of our CCI-NL Members participated in the course while travelling in Australia with no technical complications other than the time

difference). ZOOM works on iPads, iPhones, Android phones and tablets, Windows and Mac computers. Whichever device you use, you will need to install a small computer program, called an app, on your device in order to use ZOOM. A fast and stable internet connection is important for good-quality video calls on ZOOM.

- The course is fully interactive (interactive meaning that it is possible to communicate and react to the people you're involved with online during the Course – not only the instructor but other participants as well).

Disadvantages:

- People who want to take the course may not have access to an appropriate device, not have a high speed internet connection or not be familiar or comfortable using ZOOM.

In Person Director's Course

Teaching the Director's Course in person is by far the most resource intensive mechanism for conveying education since it would normally be taught in one all-day session on a weekend by more than one instructor in an appropriate venue capable of accommodating 40 – 50 participants. Although the CCI-NL objective is not to make a profit, the course cost will be higher than the online or virtual course as the cost of renting a suitable venue as well as catering costs for lunch and refreshments will have to be factored in.

Advantages:

- The course is fully interactive (interactive meaning that it is possible to communicate not only the instructor(s) but other participants as well).
- The participants will have the opportunity to meet and socialize with other course participants during the lunch break.

Disadvantages:

- The course costs will be higher than either the online and virtual course.

- The course location is normally restricted to the north-east Avalon where the majority of the CCI-NL Members condo corporations are located. Thus with escalating transportation costs, potential participants from beyond the north-east Avalon will have to pay more as well as possibly have to pay for at least one night's accommodation during a weekend.
- To ensure that there is a high probability of good weather when the course is scheduled and a desire to avoid the summer vacation period, the time of the course would normally be restricted to either the Spring or Fall.

Course Participant Evaluation: The five chapters include four multiple choice questions at the end of each Chapter to be submitted to and marked by a Chapter Board member. Answering a minimum of 80% of the questions correctly is deemed a course pass and if achieved, the student will be sent a Certificate by the CCI-NL.

Course Comments & Ratings: Participants are encouraged to help CCI-NL meet our goal to continuously improve this course for the benefit of all those involved in the condominium industry here in NL. As such, upon completion of this Course, we encourage the participant to forward comments and suggestions to CCI-NL

Other Educational Opportunities

The Chapter has an ongoing effort to expand the educational opportunities available to our members by providing Seminars on relevant topics of interest to the condominium community either virtually from CCI-NL, other CCI Chapters or in person.

Thus the CCI-NL Board is committed to making an effort to provide condo directors' education to all our CCI-NL members wherever they live in the province to enhance their ability to manage and maintain their Condominium property on behalf of the owners of their corporations.

CONDO CHRONICLE

Advertising Opportunity

Your advertising support of our newsletter provides you and your company with opportunities to expand your business profile in the condominium community of Newfoundland and Labrador by showcasing your products and services to individual owners, Boards and Property Managers of local condominiums.

Member Advertising Rates (one issue):

Business card (3.5" x 2").....	\$50.00
1/4 Page (3.5" x 4.5")	\$90.00
1/2 Page (3.5" x 9" or 7" x 4.5")	\$165.00
1 Full Page (7.5" x 10")	\$200.00
Full page loose insert, copies supplied by advertiser*	\$100.00

*This would not be a newsletter page but a loose page inserted in the middle of the newsletter booklet

Please supply the following information for ordering:

Name: _____
Company: _____
Full Address: _____
Telephone and Fax: _____
Email: _____
Advertising requirements: _____

Please complete the above and remit, along with your advertising copy and your cheque payable to CCI-NL, for insertion in our next newsletter. Advertising copy can be emailed, preferably in PDF format, to carolburke@burkerealty.ca. An invoice will be issued upon receipt.

The *Condo Chronicle* is one of the many benefits enjoyed by Members of the Canadian Condominium Institute Newfoundland and Labrador Chapter. Thank you for your advertising support.

Overview of the Latest Update to the Condominium Information Program (NL-CIP) – Released Feb. 2023

By David Cumming, CCI-NL

Over the spring of 2019, the Board of CCI-NL spent a considerable amount of time reviewing the information in the NL Registry of Condominiums located at 59 Elizabeth Av. in St. John's. The objective of this project was to derive a more user friendly tool and make this resource conveniently available to all CCI-NL members. MS EXCEL was selected as the platform to store the information as it was assumed that most people would be familiar with this software. A *.PDF format option is also available on the CCI-NL web site.

This tool, entitled the NL - Condominium Information Program (NL-CIP), was released on May 5, 2019 in the 'Local Topics' section of our CCI-NL web page: (<https://cci-newfoundland.ca/resources/cci-nl-local-topics>)

The effort to create the NL-CIP was described in a CCI-NL Newsletter article in the [Spring 2020 edition of the 'Condo Chronicle'](#).

The condominium environment in Newfoundland and Labrador is constantly evolving and the most recent major update (V4.0 - released Feb. 2023) of the NL-CIP is described in this article.

This resource is thus a compilation of information available on each NL condominium as of February 2023. The following information is listed:

- Condominium Name (which under section 17 (2) (a) of the Condo Act shall end with the words "condominium corporation")
- Condominium Registration Number
- Condominium Incorporation Date (YEAR-MM-DD)
- Number of Units
- Condominium Location
- Condominium Type (Residential, Commercial, Mixed etc.)
- Street View Available (Y/N) – included in the spreadsheet/*.PDF file is a procedure for viewing the 90% of the condominiums located on or close to a public road in Google Street View (Ref. https://en.wikipedia.org/wiki/Google_Street_View)

Notes of interest about the Condominium Property:

- There are nominally a total of **162** condominiums listed with 4,195 units on the EXCEL spreadsheet however the following condos, listed for completeness, are not currently active condos:
- Linden Court Condo Corp located at 110 and 111 Linden Place, St. John's is an amalgamation of Pine Bud Condo Corp (26 units located at 110 Linden Place) and Linden Court Condo Corp (26 Units located at 111 Linden Place) amalgamated Aug 18, 1998 for a total of 52 residential apartment style units.
- Seascape Condo Corp (13 units (residential (attached townhouses)) located at 28 Lion's Crescent, Conception Bay South (CBS) withdrew from the Condo Act Jan. 5, 2022 and transitioned into a Home Owners Association (HOA). See article in the "[Winter 2023](#)" issue of our Condo Chronicle newsletter.
- Vanguard Village Condo Corp (50 units (residential (attached bungalows)) located on Mifflin Place in Gander) withdrew from the Condo Act. Aug 7, 2017.
- Thus the actual number of condominium corporations registered in Newfoundland & Labrador is **159** with a total number of Units = 4,195 – 26 – 13 – 50 = **4,106**.
- The largest condominium corporation in the province is **150** units - Brookfield Estates Condominium Corporation situated in the Lester St. area at the west end of St. John's with Westfield Condominium Corp at **148** units located on and around Blackmarsh Rd. In St. John's coming in a close second. Westfield is a recent amalgamation of four condominium corporations - amalgamated as of Jan. 1, 2018.
- The average condominium corporation has nominally **25.82** units.
- There are 6 condos with less than 3 Units. Note Bill 56, an amendment to the Condo Act effective in 2022, permitting the incorporation of a condominium with as few as 2 units.
- There are 2 **POTLs** where a POTL is a Parcel of Tied Land – both located in Mt. Pearl. A POTL is a property which carries with it interest in a Common Elements

Condominium and has zero units. A POTL, once joined must be transferred or mortgaged with the property. Common examples of POTLs are: shared parking spaces, marinas, golf courses, or parks.

Condominium Types in NL:

There are **28** Commercial Condos in NL.

There are **5** mixed Residential/Commercial Condos in NL.

There are **2** Recreational Condo Corp - both associated with Marble Mountain on the west coast.

There are **2 POTLs** (Parcels of Tied Land) in the province – both located in Mount Pearl.

The remaining (**122**) are various configurations of Residential Condominiums – apartment style, townhouse, bungalow, duplex, triplex, quadplex etc. and ignore the 3 inactive Condo Corp noted above.

Numerical Breakdown with respect to number of units:

- There are **54** condos of 10 units or less including POTLs and condominiums comprised of less than 3 units.
- There are **47** condos with 11 to 25 units neglecting Seascope Condo Corp.
- There are **38** condos with 26 to 50 units neglecting Linden Court (located at 111 Linden Place) and Vanguard Condo Corp.
- There are **17** condos with 51 to 100 units.
- There are **3** condos with greater than 100 units.

Spatial (Location) Breakdown:

- As expected, the vast majority of condominiums are located on the Avalon Peninsula. A total of **142** condos are located on the Avalon Peninsula including St. John's, Mount Pearl and Conception Bay South (CBS) and a few located in communities like Brigus, Torbay etc. neglecting Seascope Condo Corp and Linden Court (located at 111 Linden Place) Condo.
- There are **4** condominiums scattered around Central Newfoundland neglecting Vanguard Condo Corp.
- There are **11** condominiums located on the west coast centered around Corner Brook and Steady Brook (i.e. Marble Mountain).

- According to the records in the Registrar's Office, there are **2** condominiums located in Wabush, Labrador.

There were a number of errors noted in the Condominium Registry records however the NL-CIP is provided to CCI-NL members as the most accurate NL Condominium data that could be compiled with the available information.

The following changes have been made to NL-CIP in 2023 in the first major update of this MS EXCEL based resource since it was launched on the CCI-NL Chapter web site in May 2019.

The changes include:

- Google Street View: Google has carried out Street View surveys over the last few years and every condo corp was reviewed and if the most recent Street View survey was an improvement, the hyperlink was replaced within the MS EXCEL file. If it was not possible to access Street View since the property was not located on or close to a public road, photos or a property web site was input to EXCEL Column 'J' if available;
- An attempt was made to add more detail to the street addresses (bungalows, townhouses, duplexes etc.) of residential condominium corporations. This effort often involved physically driving around and taking note of the street addresses to be included in the spreadsheet;
- If the condo property was the subject of an article in our CCI-NL Newsletter 'Condo Chronicle' such as a Feature Condo Article, this is now noted in Column 'I' of NL-CIP;
- A number of condo corporations have changed names since the resource was launched and an effort was made to arrange the list of condo corporations in alphabetical order;
- Recent amendments to the NL Condo Act that permits, for example, a condo corp with as few as 2 units - this is now reflected in NL-CIP;
- An attempt was made to assess new condo corporations incorporated since NL-CIP was launched in May 2019 using information listed on Companies and Deeds Online (CADO) to add to the list of existing condos listed in NL-CIP;

Note CADO Ref:

<https://cado.eservices.gov.nl.ca/CADOInternet/Company/CompanyNameNumberSearch.aspx>

- There were nine newly incorporated condominium properties, generally incorporated over the last few years, added to NL-CIP. Note that these recent additions were generally incorporated only a few years ago and thus only a static Realtor's Photo is available rather than a Google Street View link.

1) Aberdeen Square Condominium Corporation
Condo # 85761
Incorporated: April 16, 2020
No. of Units = 7
Location: 145 Aberdeen Avenue, Building A, St. John's

2) Beaumont Gardens Condominium Corporation
Condo No: 83978
Incorporated: May 15, 2019
No. of Units: 8
Location: 120 Bennett Av. St. John's

3) Blackmarsh Road Commercial Condominium Corporation
Condo No. 88833
Incorporation Date: Oct 4, 2021
No of Units: 2
Location: 109-111 Blackmarsh Road

4) Flynn Lane Condominium Corporation
Condo No. 105, CADO Status: inactive
Incorporation Date: Aug 12, 2010
No of Units: 22
Location: 1-22 Flynn Lane, Wabush Labrador, NL

5) Kiwanis Commercial Condominium Corporation
Condo No. 87649
Incorporation Date: Mar. 30, 2021
No of Units: 6
Location: 55 Kiwanis St., St. John's

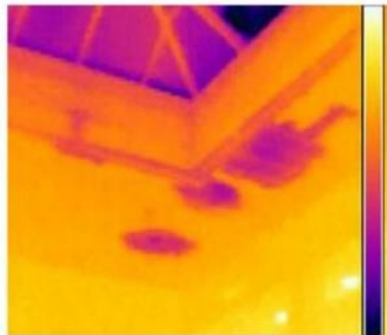
6) Park Place West Condominium Corporation
Condo No. 83755
Incorporation Date: April 5, 2019
No of Units: 22
Location: 181 Hamilton Av., St. John's

7) Vimy Commercial Condominium Corporation
Condo No: 87773
Incorporation Date: April 13, 2021
No of Units: 7
Location: 255 Majors Path, St. John's

8) West Flats at Glendale Condominium Corporation
Condo No: 83937
Incorporation Date: May 7, 2019
No of Units: 8
Location: Civic #7, Glendale Court, Mount Pearl, NL

9) Octagon Pond Condo Corp.
Condo No. 85621
Incorporation Date: March 11, 2020
No of Units: 10
Location: 1 Octagon Heights, Paradise

Thus CCI-NL is committed to making an effort to provide the most up to date and accurate information on the condominium environment in Newfoundland & Labrador as of Feb. 2023.



SAFE AND SOUND RESIDENTIAL INSPECTION LIMITED

- **RESERVE STUDY**
- **COMMERCIAL BUILDING INSPECTION**
- **RESIDENTIAL BUILDING INSPECTION**
- **HOME INSPECTION**
- **THERMAL IMAGING**

At Safe and Sound we strive to be thorough, and approachable. We pride ourselves on building long term relationships working with our clients, not just for them. Please contact us at your convenience to discuss your needs, or to explain our comprehensive reserve planning process. We would welcome the opportunity to provide you with a sample reserve study, and would be happy to attend your next board meeting for a free consultation.

www.safeandsoundresidential.com
info@safeandsoundresidential.com
(709)765-0091

Safe and Sound Residential Inspection Ltd.
511 Foxtrap Access Road
CBS, NL, A1X 7E9



Real Estate Institute of Canada
Institut canadien de l'immeuble



Some Thoughts on Condominium Legislation

By David Cumming, CCI-NL

This article conveys some thoughts on the most important legislation governing all facets of managing condominiums in the province of Newfoundland & Labrador – the Condominium Act 2009 and Regulations.

Some suggested potential amendments to sections of the legislation that could benefit NL condo owners are included. Other recommendations are also provided to processes and procedures that could benefit a condo Corporation.

1) Condo Board of Directors

There are currently cases in NL where the majority of the owners in a condominium corporation lease their units and all the elected members of the Board are investors of which none live on the property. The only reason these owners own a unit is to maximize the profit on their property investment. This often results in a strong inclination by these investors to reduce costs to a minimum to increase their profits to the point where there is a negative impact on the overall living environment due to a reduction in paid services, a scaling back of Common Elements maintenance, and a reluctance to enforce the By-Laws and Rules for use of the Common Elements resulting in an adverse effect on all the owners – especially those owners who do live in their units. In an extreme situation, this has the potential to deteriorate into a serious conflict of interest situation where the Board members are acting very much in their own best interest rather than the best interest of the Corporation.

In Ontario, the Condo Act requires that one position on a condo Board of Directors be reserved for an owner who lives in a unit on the property.

Notice of owner-occupied position:

Ontario Condo Act: **Sect. 28 (3) (a)** ...a statement that one position on the board is reserved for voting by owners of owner-occupied units,

There is no similar restriction on Condo Board members in NL as all Directors are elected in a free election where:

NL Condo Act **Sect. 21 (1)** *All voting by owners shall be on the basis of one vote per unit and voting may be done by proxy.*

At least if there is a requirement in the legislation that one owner on the Board of Directors must live in their unit, the minority owners who live in their units will have a voice on the Board to advocate for their interests and also perhaps provide a vehicle to furnish information on the strategy of the Board that may be having a negative impact on the property asset as well as the overall living environment.

Amending the NL Condo Act to ensure at least one elected Director lives on the property warrants consideration.

2) Reserve Fund Investments

In the Condo Act, there is a restriction with respect to how the assets built up in the Reserve Fund can be invested:

NL Condo Act **Sect. 49 (8)** *All contributions collected for a reserve fund shall be paid into the reserve fund and used only for those purposes referred to in subsection 49 (1) and the reserve fund shall be deposited and maintained in a chartered bank or a credit union in the province or invested in securities in which trustees are permitted by law to invest trust funds.*

Below is the equivalent section in the New Brunswick (NB) Condo Act **Sect. 38(1)**:

Reserve fund - substantial repair and replacement

In this section, "eligible security" means a bond, debenture, guaranteed investment certificate, deposit receipt, deposit note, certificate of deposit, term deposit or other similar instrument that
(a) is issued or guaranteed by the Government of Canada or the government of a province of Canada, or
(b) is issued by an institution located in the Province insured by either the Canada Deposit Insurance Corporation or the New Brunswick Credit Union Deposit Insurance Corporation.

38 (3) *All contributions collected for a reserve fund*

shall be paid into the reserve fund and deposited and maintained in a bank, credit union or trust company in the Province or invested in an eligible security.

Thus in NB, there is an expanded definition of how contributions collected for a Reserve Fund are deposited and maintained, as well as increased protection for any funds invested in a Reserve Fund.

When I was President of the Imperial Condo Corp., I remember one AGM where an owner suggested that our Corp. could make more money on our Reserve Fund investments if changes were made to these investments. This owner suggested converting the investments to higher yield (which generally means higher risk) investments. This could mean much higher risk investments such as a precious metal fund or Bitcoin.

So what would happen if a Board did change these investments as this owner had suggested and the market took a down turn to the point where the Reserve Fund falls below the minimum amount recommended in the Reserve Fund Study?

Referring to **Sect. 49 (6)** of the NL Condo Act:

*49 (6) Where an updated reserve fund study is completed in accordance with this section and the amount of the reserve fund of the corporation is less than the minimum amount that the reserve fund study recommends that the fund ought to be, the **corporation shall assess and collect contributions from the unit owners** in an amount that shall result in the reserve fund amount recommended by the study being achieved within the period of time recommended in the study and continuing to be at least the minimum amount recommended in the reserve fund study.*

It is important to note that an assessment levied under **Sect. 49 (6)** of the Act differs from an assessment levied under **Sect. 18 (3) (h)** of the Act where:

*18 (3) (h) A corporation may, with the **consent of the owners of at least 66% of the common elements**,
(h) levy special assessments for extraordinary common element expenses.*

NO CONSENT of the owners is required to impose an

assessment under **Sect. 49 (6)**. Thus the owners of a condo would be very unhappy if they were forced to pay an assessment with no input or consent simply because the Board adhered to the advice of an owner and invested the Reserve Fund inappropriately.

It should be noted, however, that the Board members may be covered by Directors' and Officers' Liability Insurance in this situation, depending on the coverage of the insurance. This insurance protects the Board members against actual or alleged errors, omissions, misstatements, misleading statements, neglect or breach of duty while acting within the scope of their duties.

When one reflects upon the day-to-day potential controversy attendant upon condominium Board members carrying out their duties, one can see that insurance protection is essential. Some of the exposures that may be covered by Directors' and Officers' Liability Insurance include:

- Failure to maintain a sufficient Reserve Fund
- Negligent handling of investments

If a condo corporation was compelled to make an insurance claim to elevate the amount in the Reserve Fund due to negligent handling of investments by the Directors, this could result in higher insurance premiums paid by all owners of the Corporation.

3) **Updating the Reserve Fund**

NL Condo Act: **Sect. 49 (3)** *Where a corporation has, as one of its objects, the management of a property consisting of 10 or more units, the corporation shall*
(a) complete a reserve fund study before the sale of the first unit;
49 (5) *Where this section requires that a reserve fund study be completed, the corporation shall, within every 10 years from the completion of the previous reserve fund study.*
(a) complete an updated reserve fund study...

For many years the Bank of Canada was successful in containing inflation rates to a range of about 1 to 3%. Over the last few years however, the Rate of Inflation has seriously escalated, skilled labor is getting harder to find and supply chain issues are negatively impacting the Reserve Fund.

According to the Consumer Price Index (CPI), consumers in Newfoundland and Labrador paid 4.1% more for goods and services in September 2023 than in September 2022. As such, if a Condo Corporation carried out a Reserve Fund Study 10 years ago as is specified in the Legislation, the Reserve Fund could be seriously underfunded due to factors not taken into consideration in the Reserve Fund Study. Thus many provinces across Canada now require that the Reserve Fund Study be updated and/or redone with greater frequency:

Ontario: Timing and Frequency: The regulations in Ontario require that a Reserve Fund Study be conducted within the first year of the condominium corporation's existence. Subsequent studies must be conducted at least once every three years.

Alberta ServiceAlberta.ca: Updating the reserve fund study every five years, condominium corporations must conduct a new reserve fund study. Once completed, the board must develop and adopt a new reserve fund plan. Before implementing the plan it should be presented to the unit owners for their information.

CMHC, Nova Scotia Reserve Fund Studies must be updated in each five-year period after completion and entirely redone every 10 years by a professional engineer who meets specific requirements.

Thus there are many Condo Corp. in NL that appear to be diligently adhering to the requirements to update a Reserve Fund Study every 10 years that may unknowingly be contributing to a Reserve Fund that is inherently underfunded.

4) Lack of Condo Architectural or Structural Plans

Waiving the requirement for Architectural or Structural Plans:

Ref. Contents of the Description NL Condo Act: **Sect. 11 (2)***the registrar may, upon proof satisfactory to the registrar, waive the requirement for architectural or structural plans.*

The decision to waive the requirement for a new Condo Corporation to have architectural or structural plans appears to be a decision made solely at the discretion of the Registrar.

Question: *Does the Registrar really understand the implications of permitting a Developer to proceed with a condo project without having architectural or structural plans?*

I live in a condo that was built over 100 years ago (c.1906) and it has become apparent that the developer applied, and was granted, a waiver precluding him from having to provide architectural and structural plans due to the age of the property as well as the lack of existing plans available during the property renovation period (1996). I assume that there are other condo corporations consisting of older renovations or repurposed properties in NL that have been granted a similar waiver. Typically, these condo corp. have plans that are restricted to:

- A survey of the property that involves a comprehensive examination of the site's topography, soil type, vegetation, climate, existing structures and utilities, and surrounding land use
- Site services plan – plan of water main and sewage piping to/from the property
- Floor plans for each unit and the common elements

The consequences of not having architectural or structural plans is that major repair or replacement of the common elements as well as updating the Reserve Fund Study can become a more difficult and complex challenge as contractors retained to carry out these tasks are generally not familiar with the property. The people who are most familiar with the property are the owners that have lived in the condominium for many years however there are restrictions imposed on the declarant and owners carrying out the Reserve Fund Study under **Sect. 8** of the Condo Regulations presumably to prevent/deter a conflict of interest situation:

Sect. 8. A person shall not, without the written consent of the owners of all of the units in the property, prepare a reserve fund study for a corporation if that person

- a) is the declarant or a unit owner, director, officer, employee or manager of the corporation;**
- b) is a partner, employer or employee, spouse, son or daughter of the declarant, or of a unit owner, director, officer, employee or manager of the corporation;**

- c) *has an interest in a contract or proposed contract to which the corporation is a party; or*
- d) *is a person who lives on the property managed by the corporation.*

Thus I do not agree that granting a waiver for the requirement for Architectural or Structural Plans is in the best long term interest of the condo owners.

Is there an Alternative? The Registrar could compel the Developer of a proposed condo corp. to carry out a detailed survey of the property followed by the preparation of architectural and structural plans deemed acceptable to the Registrar. In addition, prior to accepting these plans, the Registrar could add a requirement that these plans be reviewed by a qualified independent third party.

The Developers that have been granted a waiver in the past have often generally acquired a derelict property very inexpensively and allocating sufficient funds to renovate or re purpose the property. In some cases, the property has been purchased simply by paying, at a public auction, the arrears of taxes owed to a municipality.

Thus requiring a survey could increase the cost of creating a condominium to the point whereby the initiative is no longer a viable business opportunity as the proposition can no longer be considered profitable or expected to generate an acceptable positive return on the investment.

5) Condominium Insurance

Condominium insurance is a subject that sparks much debate within the condominium community as most condo Directors consider insurance a complex, intractable problem.

Insurance (Condo Act Sect 56 (1)) The corporation shall obtain and maintain insurance, on its own behalf and on behalf of the owners, for damage to the units and common elements that is caused by major perils or the other perils that the declaration or the by-laws specify.

The major perils are listed in Sect. 56 (2): ...means the perils of fire, lightning, smoke, windstorm, hail, explosion, water escape, strikes, riots or civil

disturbance, impact by aircraft or vehicles, vandalism or malicious acts.



Wind Damage to an owner's vehicle at Hillshire Manor Condo Corp. - 2017

A condo corporation may include additional perils in their governing documents such as flood insurance if the property is located on or close to a flood plain. Our changing climate may also precipitate changes in insurance coverage over time if a property is located close to a shore line where rising sea level and storm surge become increasingly prevalent.

What types of insurance should an owner carry?

- The owner should always have coverage for the contents of their unit. Insurance that pays for damage to, or loss of, an owners possessions while they're located in their condo or temporarily away from the property. (for example, when the owners possessions are with them while they travel or are in their vehicle. All personal belongings are excluded from the corporation's coverage in all circumstances.)
- If the owner is storing possessions in a condo storage locker, these possessions should also be included in their insurance coverage.
- The owner should obtain insurance coverage for all betterments and improvements done to their unit. Taking photos and recording the renovation date and major purchases as well as costs is recommended. Maintain a list of all major possessions or if there is a significant renovation to a unit such as replacing a vanity, flooring, removing an electric fireplace etc.
- Coverage for liability is also important in the event that someone is injured within a unit.
- If there are any high-value items, adding specific coverage for these items should be considered.

Things like memorabilia and art are sometimes overlooked or not covered by a policy. It's also a good strategy to make sure the pay-out for high-value items isn't capped by a maximum pay-out.

- The owner should have coverage for the corporation's insurance deductible in the event that the damage is deemed to be the fault of the owner due to neglect or lack of maintenance.
- Examples: if the owner is aware of a leaking pipe, if the leak is ignored and it blows, this is lack of maintenance. If there is a pot on the stove turned on and it causes a fire this is neglect.
- The owner should make sure they are covered for alternative accommodation in the event that they are unable to occupy the unit while it is being restored after damage.
- Loss assessment coverage is an optional endorsement that you can add onto a condo insurance policy. It helps protect an owner where an owner is responsible for a portion of damage or loss in a common area. This **does not** cover the type of assessment to top up a reserve fund as described in **sect 49 (3) (b)** of the act, however.

Deductible Ref.

Condo Act Sect 58 (1): *Where an insurance policy obtained by the corporation in accordance with this Act contains a deductible clause that limits the amount payable by the insurer, the portion of a loss that is excluded from coverage shall be a common expense.*

Sect. 58 (2) *...where an owner, a lessee of an owner or a person residing in the owner's unit with the permission or knowledge of the owner through an act or omission causes damage to the owner's unit, the amount that is the lesser of the cost of repairing the damage and the deductible limit of the insurance policy obtained by the corporation shall be added to the common expenses payable for the owner's unit.*

In recent years, some condo corp. are increasing the deductible limit in their insurance policy to mitigate their insurance costs when an owner or a person residing in the owner's unit with the permission or knowledge of the owner, through an act or omission, causes damage to the owner's unit.

Property Appraisal Period: Most condo governing

documents include a section in their governing documents specifying the requirement for periodic property appraisals such as:

For the purpose of maintaining the insurance required thereof to the full insurable value on a replacement cost basis without deduction for depreciation, the Corporation shall obtain every three (3) years an appraisal of the full replacement value of the Buildings situated on the Land including the Units and Common Elements but not improvements made to a Unit by an Owner after the registration of the Declaration and Plan. The expenses of such appraisals shall be a Common Expense.

This is to ensure owners are protected in the case of a major peril where the property is deemed a total loss. The full replacement cost, known to appraisers as the Total Insurable Value, is to include the building structure, all common facilities and assets, and any insurable improvements. Many corporations who do not comply with their provincial codes can be left at significant risk of being under-insured and responsible for any shortfall in coverage.

The same factors that are impacting the frequency of carrying out a Reserve Fund Study are starting to influence the property appraisal frequency – swings in interest rates, construction costs, supply chain issues etc. Some appraisers are now advocating for annual update services to keep a comprehensive insurance appraisal current for more than one year. This is a cost effective way for corporations to ensure that they maintain adequate insurance coverage given the volatility of construction costs in recent years.

6) Standard Unit Definition

A Condo Corporation is required to establish a Standard Unit Description for each class of unit under **Sect. 35 1 (g)** of the Condo Act:

35 (1) (g) *to establish what constitutes a standard unit for each class of unit specified in the declaration for the purpose of determining the responsibility for repairing improvements after damage and insuring them;*

The Corporation does carry insurance that allows the corporation to restore a unit to the standard unit

definition however often owners (or previous owners) make upgrades to the units which they become responsible for. An example would be if the unit came with builder's grade carpeting that was removed and replaced with hardwood flooring. The owner is now responsible for insuring the new flooring.

The Standard Unit Description defines what is included in a Standard Unit and generally consists of a list of the original amenities provided by the Developer when the structure(s) was/were either built or converted into a condo, and may include a description of such things as:

- Appliances (refrigerator, stove, dishwasher)
- Interior finishes (vinyl flooring, wall to wall carpeting)
- Electrical features (electrical panel, outlets, lighting, hot water heater)

Anything not specifically included in the description of the Standard Unit shall be deemed to be an improvement. Unitholder(s) shall be responsible to maintain and repair their unit as well as any improvements in a prudent and responsible manner after normal wear and tear but does not include the obligation to repair after damage (Ref. **Sect. 55 (2)** of the Condo Act).

With the exception of minor repairs, maintenance and servicing, all other repairs, maintenance and servicing shall be performed by an accredited professional. In all circumstances, repairs, maintenance and servicing shall be performed in a good and workmanlike manner in compliance with all applicable laws and with any consent required pursuant to the Corporation's Declaration. If repairs are needed in a condominium unit **due to damage (not normal wear and tear)**, the Corporation will pay for them but only to bring it to the standards defined by the Standard Unit By-law. If the current owner, or any previous owner, have upgraded the unit, damage to these upgrades will not be repaired by the Corporation as they do not conform to the definition of the "Standard Unit".

Many Condo Boards of new Corporations are at a loss regarding how to develop a Standard Unit Description. Often much of the Standard Unit Description can be determined by examining the marketing materials provided by the Developer. The marketing materials describe the amenities that the buyer can expect upon

purchasing a condo.

It is recommended that the Corporation take photos of each component of the standard unit and store them where the corporation file their records with a second copy stored in a separate location such as with the Property Manager as the difference between the Standard Unit and the current unit is not always clear from a written description. Example – Standard Unit: Interior Finishes - Vinyl flooring (laundry/storage room, bathrooms and kitchen), wall-to-wall broadloom elsewhere in Unit.

It is only after comparing the photos of the Standard Unit carpeting to the carpeting now in the unit that it becomes obvious the carpeting has been changed/upgraded.



Standard Unit Carpet - 1996



Existing Carpet in Unit - 2017

7) Insurance – Risk Mitigation

Information and guidance related to risk mitigation and management of a condominium property. Note that insurance companies think positively regarding condo corporations that take a proactive position regarding mitigating risks to their property. Some steps to take to mitigate risk are outlined below:

- 1) Keys to units: all the keys to the Units and Common Elements should be stored in a security lock box located on the property. Two residents living on the property have keys to the lock box and can access any Unit or common element at any time if it is felt that there is a fire, fluid leak, medical emergency etc.
- 2) Carry out a unit inspection every few years. The condition of a unit would be determined during an inspection and any issues addressed before they became expensive problems. The installation date should be marked on all water heaters and the water heaters should be changed every 5 years in a multi-story building. If a unit has a water shut off valve, a sign should be affixed to the wall adjacent to the valve noting its location. This is particularly important if the unit is leased as the lessee may not be familiar with the shut off valve's location.
- 3) It is recommended that a monthly Inspection of the common elements be carried out with a report sent to the Board.
- 4) A qualified, experienced roof inspector should be retained to inspect the roof annually and

provide a report to the Board and/or Property Manager of any deficiencies and recommendations.

- 5) Elevator Inspection/Service: It is recommended that a qualified elevator service contractor carry out an inspection of the elevator every month. The Provincial elevator inspector also inspects the elevator every year or so and provides a certificate that should be displayed in either the elevator or a location noted in the elevator.
- 6) Fire Inspection: Contractors should be retained to inspect fire safety equipment (fire alarms, fire extinguishers, fire hoses, fire panel, smoke alarms, emergency lighting, heat sensors etc.) and sprinkler system every year. It is recommended that a fire drill be carried out twice/year (generally in the Spring and Fall) under the direction of a Fire Marshall (ideally an owner living on the property) appointed by the Board.
- 7) Ventilation System Maintenance/Inspection: carried out annually by a qualified ventilation system contractor.

David Cumming served on the Board of Directors of The Imperial Condominium Corp. located in downtown St. John's (see the Feature Condo article in the Spring 2016 CCI-NL Newsletter) and is a long time Director of CCI-NL.

Commercial Condominium Insurance Thoughts For 2024

By Blair Campbell

Condominium boards play a pivotal role in managing condominium insurance by overseeing the association's coverage and ensuring adequate protection for both common areas and individual units. The board's responsibilities include: understanding the master policy, determining coverage needs, and collaborating with insurance professionals. Condo boards should also communicate insurance details to unit owners, encouraging them to obtain personal unit owner's insurance. Regular reviews of insurance policies, establishing emergency response plans, and seeking legal advice when needed are vital aspects of the condo board's role in managing condominium insurance, ensuring the financial well-being and security of the entire community.

As we head into 2024, condominium boards must continue to be 'active' in the stewardship of their properties. Here are some helpful hints to consider as we enter the new year that will potentially give you an opportunity to keep commercial insurance premiums from soaring.

- Loss Mitigation Policy - this is how you proactively manage your building's upkeep. This may include having designated forms regarding a "to do list" for seasonal maintenance and repair. An example would be hot water boiler inspections and schedules replacements.
- Reserve Study - insurance companies favour having these completed every **5 years** vs 10 years per the condominium act. This can mean the difference in re marketing policies to new insurance markets with more favorable rates for commercial condominium insurance.
- Short Term Rentals - insurance companies are less interested in high volume short term rentals. Simply put, if you don't own, you're less likely to care and the risk to claims increases. Make sure your condominium by-laws have this recognized.
- Newer Condominiums - those buildings 20 years and newer are going to be rated more favourably than older buildings. This means newer roofs, up to code electrical and plumbing. For those living in

older complexes, having these upgrades completed after 20 years is a necessity.

- Out with the old - the once beloved garburators are now seen as a hazard or liability to insurance companies. Other items to address are back water valves installed on plumbing lines and scheduled upkeep on sewer pipes etc.
- Confirmation of Insurance (COI) certificates - anyone who is contracted to provide services or work must be required to provide a COI. If they can't, don't have them work on your property, period!
- Frequency of Claims - this is a big one. A board must manage whether or not to put a claim in. This means having professionals at hand to assist on cost estimates of repair. Certified plumbers can be your best friend here. Two small claims in two years can significantly increase your premium. So be careful before you push the nuclear 'claims reported' button.
- Having a good relationship with your insurance broker - this is the last point for a reason. You need to trust your insurance account manager. During renewals they need to show you what they have done to get premiums down and coverages where they should be. I refer to this as "showing their homework" to you. During times of potential claims they can be of great assistance with professional advice to the board. Account managers can assist in reviewing any losses on site before deciding on whether or not a claim should be made. Some brokers have on-site claims managers who can also assist clients before a decision is determined on putting a claim through or not. Recognizing your broker works for you, you are their boss and having expectations that they provide the board with sound professional advice is to be expected. This is sometimes forgotten by board of directors.

Following these tips will allow condominium boards to display good governance and put themselves in a better position when it comes to condominium insurance.

In addition to these tips, there are a two other things to keep in mind as it relates to your condominium insurance this year. First, inflation markers are high. What will this mean for commercial condominium insurance is that you can expect an increase between a **7-8%** on the **total insurable value** of the condominium building this year. This will be reflected in the cost of the property premium of your commercial insurance in 2024.

Secondly, claims are getting more costly and the frequency of claims are rising. Labour and materials are getting more expensive and driving the overall cost of these insurance claims higher. This makes the condominium insurance

market less desirable for insurance companies to underwrite. Fewer companies wishing to underwriter this risk category means less competition and potentially higher premiums for the insureds.

Condominium Insurance is essential and the Board plays a key role in making sure you are adequately protected and have the lowest possible premiums.

Blair Campbell is Commercial Manager, Munn Insurance, St. John's, NL.

E-mail: blair.campbell@munnsurance.com

Phone: 709-330-5995

We've Only Just Begun: The Quest to Make Our Building Electric Vehicle (EV) Ready

By Colleen Morrison and Adrian Turpin

With Contributions from John Leonard and Kira Hanesly

Electric Vehicle (EV) Ready

What do we need to do to get our building EV ready? Well, that is certainly a question that has been asked many, many times over the past few years. There have been discussions at Board meetings, conversations among owners and Board members, and the casual Q & A with electricians and engineers. Board members and owners alike have attended virtual seminars and shared articles on all things EV. While a great deal of knowledge on EVs and EV chargers was gathered through all of those activities, we still did not have any concrete information as to how McKee's Grove Condominium Corporation could incorporate EV charging stations into our already existing infrastructure.

Following up on a discussion about EV charging stations from CCI-NL's November 2022 AGM, we contacted an electrical contractor to meet with us on site to discuss the possibilities for our building. At this point, we had no idea if Level 3 fast chargers or individual Level 2 chargers were the best option to provide service to 40 units, nor did we know where we would locate those chargers. In an already constructed multi-unit residential building such as ours, with both underground and outside parking, we did know it wasn't going to be a simple fix. Our underground parking garage accommodates vehicles for 32 units, with the outside parking lot having designated parking for the other 8 units. The electrical room with individual unit meters is also located in the parking garage.

These initial meetings did give us further insight into the options available. Accommodating Level 2 chargers in the parking garage would involve running electrical connections between unit meters to individual parking stalls. Providing those same connections to the outside parking spaces would involve extensive work to bring the connection back inside the building. If we decided on a Level 3 charger, it would have to be installed in the parking garage near the electrical room in a space that would provide easy access for vehicles. Thinking was toward one Level 3 charger. However, it was suggested

that we contact Drive Electric NL to further discuss our needs before making any firm decisions as to which route to take.

Drive Electric NL

A visit to Drive Electric NL did provide us with plenty of information on various types of EV chargers, but we still had many questions about the best fit for our building. Our next step was an e-mail to provide them with structural information about our building and to ask some very basic questions about EV charging stations. Kira Hanesly, the Resource Centre Coordinator with Drive Electric NL, contacted us right away. She was a wealth of information; and we discussed various types of chargers, electrical work to install chargers, and various rebates available. Our knowledge of our current electrical system was limited, so after that very lengthy conversation, it was decided that a visit to our building and a meeting with our Board of Directors was necessary.

When Kira visited McKee's Grove Condominium, she was accompanied by an electrician from a company with whom her organization works closely. They did an overall inspection of the electrical room, the available space in the parking garage next to that room, the individual parking stalls, the support structure in the parking garage, and the outside parking spaces. We accompanied them during the visit and made arrangements to meet again the next day.

The next meeting gave us an opportunity to discuss the available options for our building as they related to getting the building EV ready, installing chargers, and accessing rebates. Board members who were unable to attend the meeting submitted a number of questions that were also discussed. Finally, we felt that we had some concrete information that would help us move forward when we were ready to do so.

Our Best Option

Because our knowledge of EV chargers was limited, our initial thought was that installation of a Level 3 charger (fast charger) in our underground parking garage would be a viable option that would allow residents to pay for their usage individually. However, after our meeting with Kira, it was obvious that this was an unrealistic option for the possible eventuality of 40+ vehicles needing charging in the parking garage. Those types of chargers are more suited to the use of the general public as is currently being done in many places. Consumer payments for using the Level 3 charger can often be less than the cost of administering the charger and payment program. In addition, the cost could range anywhere from \$100,000 to \$200,000 installed. Finally, it was determined that Level 2 chargers (individual chargers) would be best suited to our needs as they would provide a better charging experience for residents and would be easier to install.

Level 2 Chargers

As indicated above, the Level 2 chargers were recommended as being best suited to our needs since they would offer a better individual charging experience for residents and would be easy to install. Each individual parking stall can be pre-wired, and residents would then be able to purchase their own Level 2 charger and pay for their particular charging costs, or the Corporation could purchase the chargers with later reimbursement from residents.

The challenge for our building would be the outside parking stalls, which are located directly in front of concrete walkways. Because the electrical connection would have to be brought back inside the building, those walkways would have to be dug up to run the wiring underground and then through the building to connect to the electrical system. Quite a challenge for sure, but it could be done.

The chargers themselves are 250 volts/40 – 50 amps, and each parking stall could be equipped with a charger. A typical charger requires a 50 amp circuit at 80 percent capacity/40 amps with a load shed box.

Our Building's Electrical Functionality

The current electrical setup for our building is a good one. Our electrical room is located in the underground parking garage, and there is sufficient space between the meters to run electrical lines.



This would eliminate the need to run cable from the meter itself to the panel box in each resident's condominium unit. By running new lines for power from the electrical room to charger panels outside the room, the parking stall chargers can then be hooked into individual meters.

After the electricians had assessed and measured our electrical room and the space at the rear of our underground parking garage, they outlined the setup necessary for EV readiness. A separate small electrical room constructed from the same type of concrete blocks as our present electrical room would have to be constructed next to the current room to provide housing for the charging panels. The space at the rear of our parking garage would be sufficient to accommodate this structure.

Costing and Rebates

Finally, we could see the possibility of being able to make our building EV ready when the time came. Our next step was to look at the financial aspect of carrying out this project and whether the Corporation would be able to access various types of funding through rebates.

Obviously, requirements for an EV readiness project for a multi-unit/multi-family residential building differ significantly from those requirements for a single unit dwelling, and our project would likely need to be completed in phases and at a much higher cost. For our particular building, we were looking at the following:

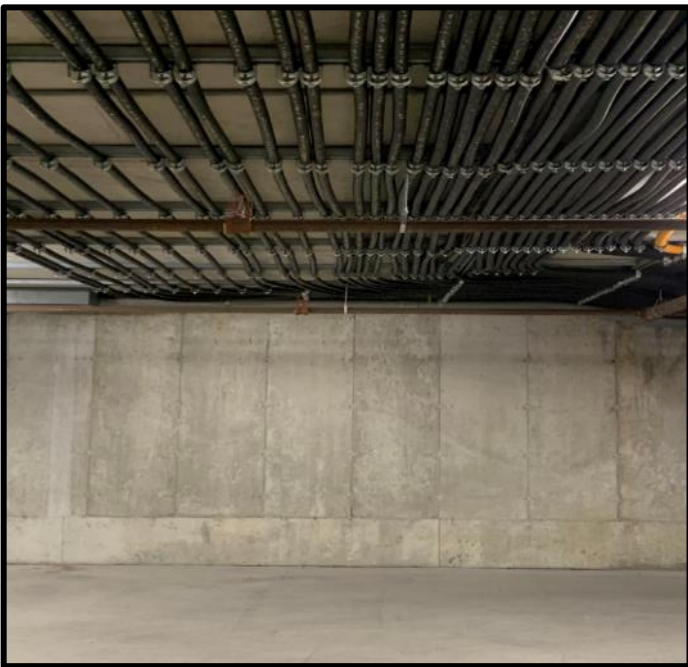
- Construction of a secondary electrical room using concrete blocks and equipped with steel doors
- Rewiring of all 40 electrical meters to connect to the load shed boxes in this room
- Connection of the electrical wiring to each parking stall
- Purchase and installation of 32 chargers for the underground parking stalls
- Purchase and installation of the remaining 8 chargers for the outside parking spaces

At the time we did our assessment, NL Hydro was offering \$5,000 per charger up to a maximum of 19 chargers, for a total of \$95,000 in rebate money for installation. However, an EV ready plan had to be in place, and the work would have to be done before the rebate was given. Looking at that being our only rebate source initially, the financial outlay to the Corporation would be close to \$250,000.

Further meetings with Kira over the summer of 2023 alerted us to other sources of funding that might be applicable to our particular situation which included NL Hydro, NRCan (Natural Resources Canada), and a project pitch to the provincial government by Drive Electric NL. With all those sources factored in, we were looking at a cost of \$2,500 per charger if all 40 were purchased at the same time, thereby making the Corporation's commitment \$100,000 at the beginning of construction, with another \$180,000 due at the end of construction; however, this \$180,000 amount would come back as a rebate portion within 60 – 90 days. Again, an EV ready plan would have to be in place, and the work would have



The room would measure approximately 15 feet long by 5 feet deep, and it would contain seven (7) charging cabinets, with each cabinet accommodating six (6) charger hookups. Three (3) charging cabinets would be installed on each of the two longer walls, and one (1) would be installed on the shorter wall. Access to the room would be via a door in the front, and there would be a space between this new room and our existing electrical room.



Electrical cabling would run from each individual meter, connect to the particular hookup assigned in the charging cabinet, and, in turn, would be connected to the parking stall hookup.

to be completed before the rebate was available. Indeed, further detailed technical and financial/cost assessments would be required to confirm the findings to date.

A Lot to Think About

To ensure that the Board of Directors were involved in all stages of our research, we submitted regular updates to them via e-mail and followed up with written reports before Board meetings. As well, John Leonard, President, was on hand for many of the meetings we had with Kira and the electricians.

Making a decision to spend funds for any type of project requires serious thought and discussion, and this project was no different. The Board reviewed all our submissions thoroughly and discussed the pros and cons of going ahead with a project of this magnitude. They looked at the present level of interest of all residents; the associated required funds for the purchase; the need for further investigation into electrical requirements of the building's systems and its associated costs; the need to install 32 chargers inside the underground parking garage and 8 chargers outside the building; and the prevalence of EV systems like the one proposed in condominium buildings in the province at the time. After much discussion, the Board decided not to pursue the project; the demand was simply not there. However, there was considerable interest to monitor the installation of EV systems in buildings similar to ours and to stay informed on the EV situation as it evolved.

This discussion continued at our AGM in November of 2023. While the decision had been made not to pursue the project, the discussion at the meeting very much centered on the need to continue to stay informed on EV charging systems as the technology and implementation options became more defined. There was agreement that the current demand and cost for the work required to make our building EV ready at this point in time did not warrant proceeding with the project. However, it was understood that the need is there for us to be prepared for the eventuality of becoming EV ready.

Making buildings such as ours EV ready, with its existing infrastructure, is certainly a challenge, both financially and physically. It is not a decision to be taken lightly, and

Boards of Directors must ensure due diligence as they represent the interests of all. And while the federal government has set a target of 2035 to end the sale of vehicles powered only by gasoline or diesel, the question remains whether they've given the same consideration to ensuring that the ability to charge these vehicles is also present. Of course, as consumers, we too need to consider the pros and cons of the purchase, with two of the biggest considerations being the cost of purchasing and operating an EV, along with the ability to charge it conveniently.

There is no mistaking that EV purchase is increasing and that consumers are looking at ways to be more environmentally friendly. The challenge remains, however, for buildings such as ours to find a way to embrace this change.

Colleen Morrison is a retired educator in the field of business management who spent over 30 years with College of the North Atlantic. She has also worked as an employee relations officer with the Newfoundland and Labrador Association of Public and Private Employees. Colleen was a member of the Board of Directors for McKee's Grove Condominium Corporation from 2014 - 2022, and she was a Director with CCI-NL from 2020 - 2023. She is a condo owner and resident at McKee's Grove Condominium.

Adrian Turpin is a retired educator in the field of communications who spent over 30 years with College of the North Atlantic. He is condo owner and resident at McKee's Grove Condominium who regularly volunteers his assistance with many building projects.

John Leonard is a retired civil engineer who has worked in private industry, with government, and in his own consulting firm. He has been an invaluable member of the Board of Directors of McKee's Grove Condominium Corporation since September 2017 and has served as President since November 2018.

Kira Hanesly is the Resource Centre Coordinator with Drive Electric NL. She has been a small business and management consultant for over 20 years. Kira is an EV owner and a fierce advocate for disseminating factual information on all things EV related.



MEMBERSHIP APPLICATION

CONDOMINIUM CORPORATION

ccinewfoundland@cci.ca • www.cci.ca/Newfoundland

How/from whom did you hear about CCI?: _____

CONDOMINIUM CORPORATION

Condo Name/Number: _____

Number of Units: _____ Registration Date: _____

Development Style: Townhouse Apartment Style Other: _____

Address: _____ Suite #: _____

City: _____ Province: _____ Postal Code: _____

Phone: _____ Fax: _____

Email: _____

I agree to receive electronic correspondence. I DO NOT wish to receive electronic correspondence.

Signature: _____ Date: _____

MANAGEMENT COMPANY (if applicable)

Primary Contact: _____

Address: _____ Suite #: _____

City: _____ Province: _____ Postal Code: _____

Phone: _____ Fax: _____

Email: _____

I agree to receive electronic correspondence. I DO NOT wish to receive electronic correspondence.

Signature: _____ Date: _____

Please forward all correspondence to: Management Company address Condo Corporation address

Electronic Correspondence:

This section must be completed in order for the membership application to be processed.

CCI communicates with its membership via e-mail regarding updates on condominium legislation, CCI events and opportunities, newsletters, and member communications; in accordance with the Canada anti-spam law, you must indicate whether you wish to receive electronic correspondence from us.

BOARD MEMBERS

Board Member 1 Name: _____

Board Member 1 Email: _____

I agree to receive electronic correspondence. I DO NOT wish to receive electronic correspondence.

Signature: _____ Date: _____

Board Member 2 Name: _____

Board Member 2 Email: _____

I agree to receive electronic correspondence. I DO NOT wish to receive electronic correspondence.

Signature: _____ Date: _____

Board Member 3 Name: _____

Board Member 3 Email: _____

I agree to receive electronic correspondence. I DO NOT wish to receive electronic correspondence.

Signature: _____ Date: _____

FEES & PAYMENT

Fees: 1-10 Units - \$100.00
10+ Units - \$125.00

Cheques should be made payable to:
Canadian Condominium Institute - Newfoundland and Labrador Chapter
P.O. Box 23060 Churchill Square, St. John's NL A1B 4J9



MEMBERSHIP APPLICATION

INDIVIDUAL / PROFESSIONAL / BUSINESS PARTNER

ccinewfoundland@cci.ca • www.cci.ca/Newfoundland

How/from whom did you hear about CCI?: _____

MEMBERSHIP TYPE	Annual Fee	Fee Owing
Individual Membership	<input type="checkbox"/> \$75.00	\$
Professional Membership	<input type="checkbox"/> \$125.00	\$
Business Partner Membership	<input type="checkbox"/> \$125.00	\$

CONTACT INFORMATION

Name: _____

Company Name (if Professional or Business Partner): _____

Address: _____ Suite #: _____

City: _____ Province: _____ Postal Code: _____

Phone: _____ Fax: _____

Email: _____

Business Website: _____

This section must be completed in order for the membership application to be processed.

CCI communicates with its membership via e-mail regarding updates on condominium legislation, CCI events and opportunities, newsletters, and member communications; in accordance with the Canada anti-spam law, you must indicate whether you wish to receive electronic correspondence from us.

I agree to receive electronic correspondence.

I DO NOT wish to receive electronic correspondence.

Signature: _____ Date: _____

METHOD OF PAYMENT:

Cheques should be made payable to:
Canadian Condominium Institute - Newfoundland and Labrador Chapter
P.O. Box 23060 Churchill Square, St. John's NL A1B 4J9