

# Condo Chronicle

NEWSLETTER OF THE CCI NEWFOUNDLAND AND LABRADOR CHAPTER

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## MESSAGE FROM THE BOARD OF DIRECTORS

CCI NEWFOUNDLAND AND LABRADOR CHAPTER

### Canadian Condominium Institute

#### NEWFOUNDLAND AND LABRADOR CHAPTER

P.O. Box 23060  
Churchill Square  
St. John's, NL A1B 4J9

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[ccinefoundland@cci.ca](mailto:ccinefoundland@cci.ca)

Hello, CCI Members:

We want to take this opportunity to wish you all a happy and healthy New Year! We appreciate your continued support of our Chapter as we move into another year.

Did you know that 2026 marks the 23rd anniversary of CCI in Newfoundland and Labrador? Many of our members have been with us from the beginning and we continue to add new members each year. Increases in membership are due in part to referrals and recommendations from existing members, so we thank those of you who have helped to increase our numbers.

We are energized and excited to lead the way in offering condominium education and information in our Province. Please watch for upcoming local newsletters, seminars and information sessions. In addition, there will be opportunities to share in events and seminars offered by other Chapters of CCI. The Board has already begun to discuss new plans and initiatives.

As always, we appreciate your feedback and your suggestions on how we can continue with our success in the future. Please feel free to reach out to us by email at any time [ccinefoundland@cci.ca](mailto:ccinefoundland@cci.ca).

Stay tuned and stay warm.

CCI-NL Board of Directors



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### CCI National President's Message

2024-2025 has been a challenging and interesting year for CCI National and all of its seventeen Chapters. The focus at a National level has been to work on our internal structures and policies to ensure more consistency and additional support for our Chapters.

At National, we continue to benefit from the support of our Executive Director, Laura Pacheco and our Admin, Brenda Keyes. Their guidance, ideas and organization have made our executive board run smoother and accomplish more, which has been amazing. They have also been increasing their involvement in both our committees and chapters, to provide additional assistance and knowledge.

Our National Committees have been hard at work, engaging with municipal governments, reviewing governing documents, and preparing for our National Events. We are in our second year of CCI National's social media being handled by an outside service provider and are happy with the results and the increase in engagement, especially on LinkedIn. We have re-started and re-energized our Operations and Support Committee who have been doing an amazing job at drafting new policies to ensure our governance is top notch.

For our CCI members, National Council ran a highly successful Chapter Chatter session in September and will be putting on another Chapter Chatter session in 2026.

We were very happy to assist CCI Newfoundland chapter with the launch of its First Responders webinar. With very little lead time, the CCI Newfoundland & Labrador chapter hosted a very successful webinar on Oct 16, 2025, on "What you need to know – First Responders." Emails were sent locally to chapter members to 'save the date' and nationally, we broadcast the upcoming event on social media. The resulting webinar was a tremendous success - at one point, there were a total of 57 attendees on the 1.5 hours webinar. A short survey followed and revealed that overall, respondents rated the webinar 9.17 (out of 10) in satisfaction and 8.92 (out of 10) as relevant and helpful. A recording of the webinar is available.

I would like to thank each volunteer member of the Executive Board, National Council, Committee members and Chapter Board for their dedication and hard work. Your volunteer efforts have resulted in a vibrant, connected, mission-driven membership that is dedicated to providing education, information, awareness and access to expertise by and for our members.

For our Chapter Board members we are looking forward to being in person in Edmonton for our in-person National Leaders' Forum will be held from May 6, 2026 to May 9, 2026. We have been warned by our North Alberta chapter that we could be competing with Oilers fans for attention, so we encourage you to save the dates in your calendar and book early. We look forward to seeing you there.

To our Chapter Board members, you are doing amazing work in your local communities to educate, empower and support the condominium industry. Thank you.

Sincerely,

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Devon Cassidy  
CCI National President

# *Vista Gardens Condominiums: “A little slice of Paradise”*

*By Dennis Hughes, Chairman, Sam Banfield, Director, Vista Gardens Condominium Corporation*



“Location, Location, Location” It is fair to say that Vista Gardens Condos meet all three of these requirements! This 50+ adult development bungalow-style units, all with a full basement, is located at 292 Lanark Drive in Paradise just outside of St. John’s. Vista Gardens was a phased development con-dominium corp. under Part IX of the Condo Act with a final configuration of four (4) quadplexes, five (5) triplexes, plus one du-plex for a total of 33 units.

All the units are a standard size at 1,020 sq. ft. per floor, and the interior configuration is generally standard as well - with some minor variations based on owner preferences. The layout is open plan and many, but not all, of the basements have been developed to some extent. Vista Gardens was incorporated August 16, 2017 with the last unit completed in 2022. Most of the units are owner-occupied, with a small number (less than 10%) of leased units.

While the outside areas of this development are generally common elements, the owners do enjoy exclusive use of a 10' X 12' rear privacy deck as well as

one parking space assigned for the exclusive use of each owner. There is a large, and well lit, off-street parking lot with 67 marked parking spaces, including accessible spaces. As for snow clearing, all spaces that can accommodate snow are used first before incurring the expense of trucking the snow away.

Most owners have opted for installation of a heat pump mounted away from the buildings, installed and maintained at the owner’s expense, and greatly enhancing the livability of these units in summer and winter. The efficiency of heat pump systems also contributes to lower heating bills. The by-laws do permit owners to keep household pets, but these pets are restricted to 30 lbs maximum and cannot roam unattended.

One of the attractions of living in Vista Gardens is easy access to the 2.7 km walking trial around Adam’s Pond maintained by the Grand Concourse Authority. Constructed in phases and completed in 2020, the trail boasts an easy grade suitable for all walkers, strollers and wheelchairs alike. A new lookout platform complete

with lounge chairs and an outdoor classroom space were added in 2023. <https://www.grandconcourse.ca/adams-pond-walk-paradise/>

Thus, Vista Gardens offers everything that folks who are considering condo living might wish for.

The current Board of Directors consists of five (5) members. The by-laws allow expansion to a maximum of 7 members if required. This Board assumed responsibility from the developer in 2023. At that time, it was decided to proceed as a self-managed development, at least until the Board members had a better appreciation of the volume and complexity of the work involved. The first year was a very steep learning experience as the Board grappled with the many aspects of managing a multi-million-dollar residential development, including the significant logistical, financial, and regulatory requirements. Most of the Directors had little or no experience with a Condominium Board. That lack of experience, combined with the need to gain an understanding of the Board's obligations, become familiar with the governing documents, and at the same time continue to manage the affairs of the corporation daily, proved to be quite challenging. One of the first actions by the Board was to commission the development's first annual financial audit. That audit, when completed, provided assurance to the Board that the financial affairs of Vista Gardens had been handled in a prudent and professional manner. The Board is now in the process of developing a Board of Directors Manual, including a Code of Ethics, and an Activity Calendar to codify, for future Boards, what needs to be done, and when, to effectively manage the development. Despite the challenges and driven partly by the high cost associated with engaging a professional management firm, at this point plans are to continue as a self-managed development for the foreseeable future.

Board Meetings are held either virtually, in person at a director's residence or, on occasion, at a rented room such as the common room at the Paradise sports complex. Our first AGM was held in November 2023 in a rented facility although owners are permitted to attend virtually. This meeting was well attended, and owners

were engaged in discussions on a variety of topics. Comments suggest that the owners are comfortable with the way the development is being managed.

Among the many challenges that the Board has dealt with is the effect of inflation on the acquisition of services, particularly insurance and snow clearing. While insurance costs are rising steadily and substantially year over year, snow clearing costs have increased exponentially, leading to a full review of the tendering process to minimize the effect on condo fees. The initial Reserve Fund Study was completed in 2017, primarily based on the developer's plans. With the rapid increase in the cost of construction during and after the COVID pandemic, the Board felt that it would be prudent to complete a full review of the Reserve Fund Study. That review was completed in the fall of 2023 and, unsurprisingly, highlighted the need for a new long-term funding and investment strategy to ensure consistent and adequate funding for the Reserve Fund. While this may result in an increase in condo fees, owners can be assured that the funds will be available when major repairs or replacement of the Common Elements are required.

From a social perspective, an annual barbecue is held each year on the property and is normally quite well attended. Efforts are underway to look at additional social events, potentially during the winter months.

Like many similar condominium developments, attracting owners to serve as Directors continues to be a challenge. Driving this is the fact that some owners spend a significant amount of time away during the winter and others are at a point in their life where they are either not interested or unable to perform the duties required.

Condo living is much different than owning your own property outright. The concept of being part of a development wherein you are effectively an owner-in-common with 32 others can be difficult to grasp. Education through communication with the owners is required to ensure that everyone is aware of their rights and obligations as part of a condo community.

# Looking Forward in 2026

Welcome to the 2026 Winter edition of our newsletter. You'll notice a fresh new format this year—shorter, more dynamic, and filled with a wider range of content. This update comes from the Board's decision to move from an annual newsletter to a quarterly one, allowing us to connect with our membership more often and share a greater variety of articles and updates. We'll also be exploring sponsorship opportunities to help support these newsletters.

This past year brought some challenges for the Board, including the early departure of two members. Even so, we continued to move forward, thanks in part to the generous support of the Eastern Ontario Chapter, which helped offset a portion of our membership fees to CCI-National. While we anticipate another deficit this fiscal year, we're optimistic that growing our membership and securing sponsors for the newsletter and educational events—both webinars and in-person seminars—will help strengthen our financial footing.

If you haven't visited the CCI-NL website recently, there's plenty to explore. The Condominium Information

Program (NL-CIP) has been refreshed, and the CCI-NL Trade Directory has been updated. On the education front, the Directors Course is now available and is an excellent resource for new condominium Board members. The Realtors Course is also being updated with valuable input from the Newfoundland and Labrador Association of Realtors (NLAR) and will be available soon.

Our membership remains steady, and we're actively working to grow it further. We're also grateful for the continued collaboration with the CCI-Nova Scotia Chapter and CCI-National, whose support was instrumental in delivering our recent webinar.

We always welcome your suggestions for future newsletter articles or topics for webinars and seminars. Your ideas help shape the direction of our programming.

On behalf of the Board of Directors, thank you for your ongoing support of CCI-NL.

Yours sincerely,  
CCI-NL Board of Directors

## Condo Hints

1. If you have a garbage disposal in your unit, please use cold water when operating to minimize having a smelly garbage disposal.
2. Every month, pour some dishwashing liquid down your sink and then run the hot water for a few minutes to minimize pipe clogging.
3. Let your Property Manager or Condo Board know if you are going away for the winter.
4. Condo Board Check List for the New Year:
  - ✓ New Budget in place
  - ✓ Snow Clearing Contract in place
  - ✓ Auditor Appointed

# Collecting Condo Fees – Is your Corporation Owed Money?

By Geoffrey Penney

It should not be a surprise to anyone that running a condominium is an expensive venture. Insurance, maintenance and repair, reserve fund contributions, professional services, garbage collection, snow clearing - the list of costs goes on. However, these expenses and others are required for the effective operation of any condominium community. In the vast majority of cases, the only source of funds to address day-to-day costs are the monthly common element contributions collected from unit owners. The corporation counts on the contribution of each owner. Without this income stream, the condominium would soon find itself in dire circumstances and unable to meet its duties and obligations.

However, what happens when a unit owner fails or refuses to pay their common expense contribution? Does a corporation have a legal duty to respond and act in such circumstances? What options are available to collect arrears?

## How are Fees Determined?

Each year, a condominium corporation must develop a budget for the next fiscal year. The corporation projects its anticipated operating costs for the year including all expenses and required contributions. The annual operating budget is then divided and assessed to each unit in the manner set out in the Declaration (i.e. equal shares, allocation based upon square footage of the unit or use of the common elements).

Each unit owner is then required to pay their share of the common expenses monthly so that the corporation can effectively fund its operations and stay on budget. These funds are deposited into the common expenses fund.

## Impact of Common Expense Arrears

The *Condominium Act, 2009* (the “Act”) requires that each unit owner pay their assessed share of the common expenses. To maintain the balance between expenses and available funds, all unit owners must comply. Failure to do so upsets that balance and impacts the community by putting financial stress on the corporation and compromising its ability to meet its financial obligations. An owner’s refusal or failure to pay results in his neighbors and fellow owners subsidizing his share of the common expenses. This is manifestly unfair and if permitted to continue unchecked can result in serious issues for the corporation. The longer arrears go unaddressed, the more difficult it is for all concerned when action is finally taken. For a unit owner, a monthly condo fee payment is a financial obligation just like a mortgage payment or a car payment. Failure to pay constitutes a breach of the Act, Declaration and Bylaws and has consequences.

## Corporation’s Duty and Obligations

The Act states that the objects of the corporation are to manage the property and assets of the corporation. The corporation also has the duty to control, manage and administer the assets of the corporation. Besides the condominium building(s) itself, the corporation’s greatest asset is its common expenses fund. In addition, the Act requires that the corporation take all reasonable steps to ensure that the owners comply with the Act, declaration, and bylaws. Directors should take heed as the Board is responsible for managing the affairs of the corporation.

Failure by the corporation to take reasonable steps to collect arrears in common element contributions is a failure to enforce compliance with the provisions of the

Act and declaration. In such a case, the Corporation is not fulfilling its statutory duties and objectives under the Act.

Certainly, in some circumstances a corporation might allow some latitude for an owner that may be late meeting their payment. However, failure to take appropriate measures where multiple months of arrears have accumulated is a serious problem that a corporation must address.

### Options for Collection

Section 51 of the Act states that where an owner fails to pay the share of common expenses imposed upon him by the Declaration, the unpaid amount constitutes a lien on the owner's interest. The lien includes not only the arrears in contributions, but also interest, costs and legal costs incurred by the corporation through the collection process.

There are several options available to a corporation to address arrears in common expense contributions.

- Demand letters – Sometimes a strongly worded letter from the corporation or its legal counsel which sets out the amount owing, the additional claim for collection costs and the corporations further rights to enforce compliance is enough to convince the owner to pay the arrears.
- Formal Statement of Lien – Filing a Statement of Lien in the Registry of Deeds creates an actual encumbrance over the unit. The condominium lien has priority over all other liens, charges and mortgages (other than a lien for taxes). The registered lien also covers interest and legal fees incurred by the corporation. As it has priority over mortgages, the Act allows a mortgagee (a financial institution) to pay the amount of the lien and costs to the corporation to regain its priority status. The amount so paid by the mortgagee can then be added to the unit owner's mortgage. In exchange for payment of the lien amount, the corporation then provides a

lien discharge. While there is no obligation on a mortgagee to cooperate in this manner, in our professional experience mortgagee's have responded favorably. In a situation where there is no mortgage on a unit, the encumbrance created by the lien prevents the owner from selling or refinancing the unit.

- Sale of the Unit – When a Statement of Lien is registered it may be enforced by way of power of sale proceedings pursuant to the *Conveyancing Act*. This means that the corporation can recover the arrears and costs from the proceeds of the sale of the unit by public auction.
- Court Action – Court action is available to a corporation to recover arrears and costs but this process is likely only appropriate in the most extreme of circumstances.

### Tips and Best Practices

The following practices are suggested for corporations when dealing with arrears in common element expenses:

1. The days of post-dated cheques may be long gone, however for reasons of efficiency corporations should require that all owners set up a direct debit process for payment of monthly contributions.
2. Boards should closely monitor monthly payments to ensure all contributions are received on time. In the case of professionally managed corporations, property managers should be asked to immediately advise the board of directors of any issues with receipt of payments. Arrears can accumulate and get out of control quickly if accounts are not monitored.
3. Corporations should consider adopting a policy whereby notices of unpaid contributions are sent to owners after one payment is missed.

Should a contribution not be made for three consecutive months, the matter should be automatically escalated to formal collection proceedings (demand letter or lien) with the corporation's legal counsel.

4. Corporations should save and maintain all written communications with owners with respect to that owner's arrears in common element contributions. This paper trail can be important to the collection process.
5. Boards should routinely advise owners of the corporation's policy for collection of arrears and the possible actions that the corporation may take to enforce compliance.

**Disclaimer:** This article and the views expressed herein are for information purposes only and are not intended, nor should they be considered to be legal advice. Corporations are encouraged to discuss individual cases with their legal counsel for specific advice.

Geoffrey Penney is a condominium lawyer with Cox & Palmer. He is past President and Chair of CCI National and past President of CCI-NL Chapter. He holds the designations of Associate of the Canadian Condominium Institute (ACCI) and Leader of the Canadian Condominium Institute (LCCI).

## Kings Gate Social Planning

By Janet Hewson

**Like many condo buildings,** Kings Gate Condo does not have a common room large enough to hold a social. In 2023 we started having occasional HAPPY HOURS on each floor – the lobby area around the elevator was big enough to hold a small group. We outgrew this area and owners started opening their doors and this began full building socials. We have been holding an annual BBQ during the summer since the early days of the building which has always been well attended. Now our social committee plan a gathering every couple of months, often with a theme (crazy hat, jingle bells, mismatch) and the host opens their unit and people stop by (BYOB) for neighbourly chats, laughter and sometimes music. It provides a wonderful opportunity for residents to get to know their neighbours and learn about **common interests**.

## 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
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1 Full Page (7.5" x 10") .....	\$200.00
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Prices are subject to change

Please supply the following information for ordering:

Name: \_\_\_\_\_

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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](mailto: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.



# 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