

CCC No. 735

EM3

BOARD OF DIRECTORS MEETING

Monday, September 10th, 2018

5:30pm

**Board of Directors Meeting OCSCC 735
July 9th, 2018
5:30pm
Agenda**

- 1. Welcome and Announcement of Quorum**
- 2. Approval of the Agenda**
- 3. Approval of Minutes of the Board of Directors' Meeting of July 9th, 2018**
- 4. Directors' and Managers' Reports**
 - a) Manager's Report
 - b) Treasurer's Report
- 5. Decisions for Board Resolution**
 - Airbnb Issue in 604/1604
 - 4 New Float Systems for Pit
- 6. Items for Board Information/Communication**
 - Email from Craig and Donna Wilson
 - Kristine Bujold - Marijuana ruling
- 7. Other Business**
- 8. Status Certificate Review**
- 9. Notice of Next Meeting and Adjournment**

Board of Directors Meeting September 10th, 2018

Management Report

Please see Action List

Maintenance Completed:

- Budget Package for 2018/2019 and the Periodic Information Certificate was distributed to all.
- Balcony repairs needed to floors 22-16 were completed by James Spirito. Floors 15-9 railings and dividers have been torqued and inspected by Fine Touch. There is a list of repairs to be completed by railing expert, missing screws etc. after floors 2-8 is completed on Tuesday, Sept. 11th.
- P3 sump pumps replaced by Aqua Drain. After the alarm continued to ring constantly, and we found the floaters to be faulty. 4 new float systems for Pit including a support bar to hang floats with a ball weight. Installed by Aqua Drain, \$1968.00.
- Access control systems were added to the front door and lobby door by Dave Cromwell with Canadian Lock and Supply Limited. An electrician wired it to the system, and Ainger linked it to the fob system. 3 remotes are available for purchase if anyone wants them at \$40.00.
- Window Cleaning was completed by Cody windows week of Aug 20th.
- Junipers removed from plant beds. They are dealing with a vine which is being looked at when on site, but very time consuming. The issue with the dead trees is on hold until we know more. The Manitoba maples are being removed. The hydrangeas at the far end are going to need to be cut back in the fall in order to prune the maples in this area.

Maintenance On Going:

- Bassi sent the railing company to confirm the measurements for final ordering with the new modifications for install. Kayla met with them on July 24th. An update has been requested.
- Carrier said they were waiting on one last part on Aug 28th, and repairs were scheduled for the week of Sept. 3rd - but this has not yet happened. Waiting on an update.

- 201/ 304 reported a leak again at the washing machine line. OMS attended, and there is confusion if the drain was blocked or if the hose came out of the drain.
- 604 and 1604 has been liened for non payment of the legal fees regarding operating a short term rental. 1604 and 604 are different owners according to the deed, but the owner of 604 is paying both condo fee payments by PAP. 1604 has paid the legal fees to date, and it was agreed this would discharge the liens on both units. Both units still have an airbnb ad and both are showing many bookings in September and October.
- There was a water leak in the vestibule during extremely humid weather that hvac said was due to some pipes having old and damaged insulation. It was recommended to replace and was completed. Again, the vestibule leaked and we found the condensation is coming from above. We checked in unit 202, and further investigation in the hvac column of 202 is required scheduled Monday, Sept 10th at 8am.

04 September 2018

Shilin Hao & Sally Yang
c/o Goss, McCorriston, Stel
203-2430 Bank Street
Ottawa, ON K1V 0T7
Phone: 613-738-0023
Fax: 613-738-1294

Re:	Purchaser	Shilin Hao & Sally Yang
	Vendor	Peter Redekop
	Address	2005-179 George Street, Ottawa, ON K1N 1J8
	Legal Desc	Unit 5, Level 20, Ottawa Carleton Standard Condominium Corporation 735
	Legal Desc	Parking N/A; Locker Unit 66, Level 1;
	Closing Date	20 September 2018
	Our File No.	735_2005
	Your File No.	N/A
	Order No.	N/A

Pursuant to your request of 28 August 2018 please find enclosed a current Status Certificate as per the *Condominium Act, 1998* and documentation package relating to the above-referenced property.

Please note that our office requires written confirmation from the lawyer that this transaction of sale has closed. In addition, please provide us with the full name, address, email address, and telephone number of the purchaser so that we may correspond with the new owner with future Corporation business.

Regards,

Kayla McKale
Property Manager
Capital Integral Property Management
"As Agents for OCSCC 735"

** The information provided in this Status Certificate is as accurate as the information made available at the time of preparation of this document. The party addressed above who ordered the certificate (directly or through a law office or realtor) is allowed to use the information and is with whom we have a liability relationship with regards to the information, exclusively. A third party cannot hold us liable. Each party relying on the information is required to order their own status certificate.*

STATUS CERTIFICATE
(Under subsection 76 (1) of the *Condominium Act, 1998*)
Updated 23 March 2018

OTTAWA CARLETON STANDARD CONDOMINIUM CORPORATION No. 735
THE EAST MARKET 3

Ottawa Carleton Standard Condominium Corporation No. 735 (known as the "Corporation") certifies that as of the date of this certificate:

GENERAL INFORMATION CONCERNING THE CORPORATION

1. Mailing address: See below
2. Address of service: 179 George Street
3. Property Manager: Kayla McKale - kmckale@cimanagement.ca
Capital Integral Property Management
904 Lady Ellen Place
Ottawa ON K1Z 5L5
Tel: 613-722-1232
Fax: 613-651-0306
4. The Directors and Officers of the Corporation are:
Mario Gasperetti, President, 2017-2020
Rob Potter, Treasurer, OOP, 2016-2019
Brian McCauley, Director, 2015-2018

COMMON EXPENSES / JOINT USE MAINTENANCE FEES

5. The current Owner(s) of Unit 5, Level 20, known as 2005-179 George Street; Locker Unit 66, Level 1; Ottawa, Ontario of Ottawa Carleton Standard Condominium Corporation 735 registered in the Land Registry Office for the Land Titles (or Registry) Division of Ottawa **is NOT in default** in the payment of common expenses.
6. The current monthly Condominium Fee for this suite and locker is \$413.89, due and payable on the first day of each month. Note: This fee includes water, hydro and heat, including in-suite use.
7. Payment on account of common expenses for the units in the amount of \$413.89 was received for the period of 01 September 2018 through 30 September 2018 pending confirmation from the bank.

Please note, Condominium Fees are calculated based on the proportionate percentage per legal unit and rounded to two decimal places and a discrepancy may appear from the amount listed in the Budget, when two amounts otherwise rounded up, are added together and rounded down.

These above amounts include the amount of any increase since the date of the budget of the

Corporation for the current fiscal year as described in paragraph 10. An update of the account should be requested prior to the closing date.

8. The Corporation has the amount of \$0.00 in prepaid Common Expense/Condominium Fees for this unit.
9. There are no amounts that the *Condominium Act, 1998* requires to be added to the common expenses payable for the unit, except: for any increase in common expenses the budget may require.

BUDGET

9. The budget of the Corporation for the current fiscal year is accurate and may result in a small surplus.
10. The budget commenced 01 September 2018. A small decrease to the monthly condominium fees was included in the budget. Since the date of the budget of the Corporation for the current fiscal year, the common expenses for the unit have not been further increased.
11. Since the date of the budget of the Corporation for the current fiscal year, the Board has not levied any assessments against the unit to increase the contribution to the reserve fund, or the Corporation's operating fund or for any other purpose.
12. The Corporation has no knowledge of any circumstance that may result in an increase of common expenses for the unit, except for any increase in the new fiscal year as per an approved budget and as the reserve fund plan may require, and as any changes in the new Condominium Act may require when enacted.

The Corporation's reserve fund study covers a 30-year "study period" (or period of analysis) required by the Condominium Act and Regulations. There are some features of the building that fall outside of this mandated study period. Therefore, contributions to the reserve fund will need to increase in future, as those features gradually fall within the reserve fund study's period of analysis.

The *Protecting Condominium Owners Act, 2015*, will bring some important changes to condominium law and administration in Ontario, including changes to the Condominium Act, as well as mandatory licensing for condominium property managers. As a result, condominium management fees are expected to increase. Also, condominium corporations will be required to make payments towards the new Condominium Authority of Ontario. The Corporation might also experience increased Legal Costs (for review of and/or amendments to the Corporation's governing documents and for added guidance and assistance in relation to the new legislation). These matters are expected to result in an increase in the common expenses, and the increase is currently estimated at between \$5.00 and \$10.00 per unit per month. These changes are expected to come into force in phases, from 2017 – 2019.

RESERVE FUND

13. The Corporation's reserve fund including investments, amounts to \$2,564,042 (un-audited) as of 31 July 2018. [Note: This figure is unaudited and may not include any accrual calculation for a liability incurred or income earned but not yet recorded by the corporation as at the aforementioned date.]

14. The most recent reserve fund study conducted by the Board was a Reserve Fund Study update, dated July 2017 and prepared by Keller Engineering. The next study will be completed within three years from the most recent study.
15. The balance of the reserve fund at the beginning of the previous fiscal year was \$2,269,882 (audited). The financials for the previous fiscal year are in the process of being finalized and audited. In accordance with the budget of the Corporation for the current fiscal year, the annual contribution to be made to the reserve fund in the current fiscal year is \$352,658 and the anticipated expenditures to be made from the reserve fund in the current fiscal year amount to \$11,861. The Board anticipates that the reserve fund will be adequate in the current fiscal year for the expected costs of major repair and replacement of the common elements and assets of the Corporation. See comments in paragraph 12 concerning potential increases.
16. The Board has sent to all owners a notice containing a summary of the reserve fund study, a summary of the proposed plan (Form 15) for future funding of the reserve fund and a statement indicating the areas, if any, in which the proposed plan differs from the study.
17. There are no plans to increase the reserve fund under a plan proposed by the Board under subsection 94 (8) of the *Condominium Act, 1998* for the future funding of the reserve fund except as indicated in the Form 15.

LEGAL PROCEEDINGS, CLAIMS

18. There are no outstanding judgments against the Corporation.
19. The Corporation is not party to any proceeding before a court of law, an arbitrator or an administrative tribunal.
20. The Corporation has not received a notice of or made an application under section 109 of the *Condominium Act, 1998* to the Superior Court of Justice for an order to amend the Declaration and description, where the court has not made the order.
21. The Corporation has no outstanding claim for payment out of the guarantee fund under the *Ontario New Home Warranties Plan Act*.
22. There is currently no order of the Superior Court of Justice in effect appointing an inspector under section 130 of the *Condominium Act, 1998* or an administrator under section 131 of the *Condominium Act, 1998*.

AGREEMENT WITH OWNERS RELATING TO CHANGES OF THE COMMON ELEMENTS

23. The unit may be subject to one or more agreement(s) under clause 98 (1)(b) of the *Condominium Act, 1998* or section 24.6 of Ontario Regulation 48/01 (General) made under the *Condominium Act, 1998* relating to additions, alterations or improvements made to the common elements by the unit owner. To the best of the Corporation's information, knowledge and belief, the agreements have been complied with by the parties.
 - a) We are not aware of any modification agreements currently on file.

The following modifications have been made by the unit owner(s) or previous unit owner(s) without the prior written approval of the Board of Directors:

- a) We are not aware of any modifications currently on file.

[Note: Section 98 of the Condominium Act applies only to modifications made on or after the date the Act came into force (May 5, 2001). This is simply a list of the modifications known to the Corporation. Other modifications, not known to the Corporation, may have been made without approval of the Corporation and accordingly may not be lawful].

Except as otherwise indicated in an agreement or in the By-Laws or Rules of the Corporation, the owner of the unit, from time to time, is entirely responsible for all modifications made to the common elements by the Owner(s) or by a previous Owner(s) of the unit. Accordingly, any future unit Owner(s) is also responsible for the modifications made and is also responsible for all maintenance, repairs and insurance related to such modification and must fully and completely indemnify and save harmless the Corporation from any claims, expenses or losses related in any way to the modifications. Without limiting the generality of the foregoing, the Owner shall be responsible for all costs and expenses incurred in order to remove the modification to afford the Corporation access to any portion of the property (for the purposes of carrying out repair or maintenance, or for any other reason) as well as reinstatement of the modification (if desired), and the Corporation shall have no obligation for any damage which may be caused to the modification as a result of any such required access. Any modification or upgrade to common elements must have prior written approval from the Board of Directors.

If an owner sells his or her unit, the owner shall, upon request from the purchaser, provide to the purchaser a written list of all modifications made to the common elements by the owner or by a previous owner of the unit. When a unit is sold, it is the responsibility of the purchaser to determine what modifications have been made to the common elements by the vendor or by a previous owner of the unit.

LEASING OF UNITS

24. The Corporation has NOT received notice under section 83 of the *Condominium Act, 1998* during the fiscal year preceding the date of this status certificate. The Corporation's understanding is 136 units in the condominium are owned by non-resident owners as of the date of the most recent periodic information certificate dated 30 July 2018, but notice under Section 83 has not yet been received respecting all of those leased units.

NOTE: The condominium corporation's position is that, according to the current governing documents, the Residential Units can only be used for residential purposes – which does not include hotel-type uses, Airbnb-type uses or similar short-term tenancies. The Board has passed a Rule to clarify this and to prohibit tenancies of less than four (4) months in duration.

SUBSTANTIAL CHANGES TO THE COMMON ELEMENTS, ASSETS OR SERVICES

25. There are no additions, alterations or improvements to the common elements, changes in the assets of the Corporation or changes in the service of the Corporation that are substantial and that the Board has proposed but has not implemented, and there are no proposed installations of an electric vehicle charging system to be carried out in accordance with subsection 24.3 (5) of Ontario Regulation 48/01 (General) made under the *Condominium Act, 1998*.

INSURANCE

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

PHASED CONDOMINIUM CORPORATIONS

27. N/A

28. N/A

VACANT LAND CONDOMINIUM CORPORATIONS

29. N/A

LEASEHOLD CONDOMINIUM CORPORATIONS

30. N/A

31. N/A

32. N/A

ATTACHMENTS

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

- a) a copy of the current Declaration for the Corporation;
- b) a copy of the By-Laws for the Corporation;
- c) a list of all current agreements between the Corporation and the owner of the unit: if applicable, see paragraph 23; a copy of all agreements, if any, described in clause 98 (1) (b) of the *Condominium Act, 1998* or section 24.6 of Ontario Regulation 48/01 (General) made under the *Condominium Act, 1998* that bind the unit; or current agreements mentioned in section 111, 112 or 113 of the *Condominium Act, 1998* and all current agreements between the Corporation and another corporation:
Instrument No. OC269555: Shared Facilities Agreement Amended 2004 between OCSCC 668, OCSCC 676 and OCSCC 735 [See also By-Law No.2];
- d) a copy of the Rules and Regulations;
- e) a copy of the last audited financial statements and auditor's report;
- f) a copy of the budget for the current fiscal year;
- g) a certificate or memorandum of insurance for the Corporation;
- h) a copy of the most recent Form 15; and
- i) a copy of the Standard Unit Description.

RIGHTS OF PERSON REQUESTING CERTIFICATE

34. The person(s) requesting this certificate has the following rights under subsections 76 (7) and (8) of the *Condominium Act, 1998* with respect to the agreements listed in subparagraph 33 (c) above:

1. Upon receiving a written request and reasonable notice, the Corporation shall permit a person who has requested a status certificate and paid the fee charged by the Corporation for the certificate, or an agent of the person duly authorized in writing, to examine the agreements as per subparagraph 33 (c) at a reasonable time and at a reasonable location.
2. The Corporation shall, within a reasonable time, provide copies of the agreements to a person examining them, if the person so requests and pays a reasonable fee to compensate the Corporation for the labour and copying charges.

Dated at Ottawa this day of 04 September 2018

Ottawa Carleton Standard Condominium Corporation No. 735



Kayla McKale
Property Manager
Capital Integral Property Management
"As Agents for OCSCC 735"

**The information provided in this Status Certificate is as accurate as the information made available at the time of preparation of this document. The party that orders the certificate is allowed to use the information and is with whom we have a liability relationship with regards to the information, exclusively.*