

Table of Contents

CHAPTER 1. INTRODUCTION

- § 1:1 Introduction
- § 1:2 History
- § 1:3 Tiers of Governance
- § 1:4 Advantages and Disadvantages
- § 1:5 Condominium Corporation
- § 1:6 Types of Condominium Developments
- § 1:7 —*Conventional residential condominium*
- § 1:8 —*Mixed Use condominium complexes*
- § 1:9 —*Bare land condominium*
- § 1:10 —*Phased Condominium - Barely Blended*
- § 1:11 —*Phased Condominium pursuant to the Condominium Regulations*
- § 1:12 —*Conversions*
- § 1:13 The Condominium and the Unit Owner
- § 1:14 Key Condominium Principles and Concepts—*Units*
- § 1:15 —*Common Property*
- § 1:16 —*Unit factors*
- § 1:17 —*Financial Statements*
- § 1:18 —*Control, management and administration*
- § 1:19 —*Condominium Fees*
- § 1:20 —*Registration of the corporation*
- § 1:21 —*Reserve Fund*
- § 1:22 —*Unit Owners*
- § 1:23 —*Board of Directors*
- § 1:24 —*Property Management*
- § 1:25 Concluding Remarks

CHAPTER 2. THE CONDOMINIUM CORPORATION

- § 2:1 Introduction
- § 2:2 The Condominium Corporation
- § 2:3 Condominium Plans
- § 2:4 Corporate Powers
- § 2:5 The Condominium Corporation and the Individual Owner
- § 2:6 Condominium Taxes
- § 2:7 Concluding Remarks

CHAPTER 3. CONDOMINIUM BYLAWS AND RULES

- § 3:1 Introduction
- § 3:2 Bylaws
- § 3:3 —Use Restrictions
- § 3:4 Interpretation of Condominium Bylaws
- § 3:5 Rules
- § 3:6 Enforcement of Condominium Bylaws and Rules
- § 3:7 Human Rights and Condominiums
- § 3:8 Conclusion

CHAPTER 4. THE OPERATION OF A CONDOMINIUM CORPORATION

- § 4:1 Introduction
- § 4:2 Control and Management of the Condominium Corporation—The Board of Directors
- § 4:3 Meetings of the Corporation—Annual General Meeting
- § 4:4 —Special General Meetings
- § 4:5 —Venue
- § 4:6 Meetings of the Board
- § 4:7 Rules of Procedure
- § 4:8 —The Governance of a Meeting in accordance with Robert’s Rules of Order
- § 4:9 —The Roles of the Officers
- § 4:10 —Rules of Procedure in General
- § 4:11 Voting
- § 4:12 —Proxies
- § 4:13 —Co-Owners
- § 4:14 —Corporate Owners
- § 4:15 Condominium Managers
- § 4:16 Concluding Remarks

CHAPTER 5. CONDOMINIUM FINANCIAL ISSUES

- § 5:1 Introduction
- § 5:2 Assessment of Condominium Fees—Assessing Condominium Fees
- § 5:3 —Special Levies
- § 5:4 —Rental Deposits
- § 5:5 Reserve Funds

TABLE OF CONTENTS

- § 5:6 —Reserve Fund Study
- § 5:7 —Reserve Fund Report
- § 5:8 —Reserve Fund Plan
- § 5:9 —Statutory Trust
- § 5:10 Collection of Outstanding Condominium Fees—
Payment and Security
- § 5:11 —Interest
- § 5:12 —Chargebacks
- § 5:13 —Legal Costs
- § 5:14 —Enforcement of Collections
- § 5:15 Borrowing
- § 5:16 —Secured Financing
- § 5:17 Investments
- § 5:18 Conclusion

CHAPTER 6. INSURANCE

- § 6:1 Introduction
- § 6:2 General Insurance Concepts
- § 6:3 Coverage
- § 6:4 Standard Insurable Units
- § 6:5 Repairs to Units following an Insured Loss
- § 6:6 Settlement Scheme for Damage to Building
- § 6:7 Deductibles
- § 6:8 Notification of Changes
- § 6:9 Owner's Insurance
- § 6:10 Insurance Trustee
- § 6:11 Conclusion

CHAPTER 7. CONTROL, MANAGEMENT AND ADMINISTRATION OF THE COMMON PROPERTY

- § 7:1 Introduction
- § 7:2 Common Property—Common Property Defined
- § 7:3 —Defining Boundaries
- § 7:4 —Common Property Units
- § 7:5 Statutory Easements
- § 7:6 —Right of Entry to Units
- § 7:7 Maintenance Responsibilities
- § 7:8 —The Right to Claim for Damage to Common
Property
- § 7:9 Managed Property
- § 7:10 Amendments to Condominium Plans

- § 7:11 —Redivision
- § 7:12 —Consolidation
- § 7:13 —The Modified Condominium Plan
- § 7:14 Disposition of Common Property—Transfers and Leases
- § 7:15 —Exclusive Use Exception
- § 7:16 —Granting Rights Against a Condominiumized Parcel
- § 7:17 Conclusion

CHAPTER 8. CONDOMINIUM DEVELOPMENT

- § 8:1 Introduction
- § 8:2 What is a developer?
- § 8:3 Consumer Protection—The Statutory Protections under the CPA
- § 8:4 —Construction Deficiencies
- § 8:5 Construction Warranties
- § 8:6 Duties of a Developer
- § 8:7 —Disclosure
- § 8:8 —Developing Conversions
- § 8:9 —The Purchase Agreement
- § 8:10 —The Proposed Budget
- § 8:11 —Purchaser’s Occupancy
- § 8:12 —Material Changes
- § 8:13 —Payments Held in Trust
- § 8:14 —Interim Board and Transition
- § 8:15 —Developer’s Agreements
- § 8:16 —Developer’s Obligation to Pay Condominium Fees
- § 8:17 —Fiduciary Obligations
- § 8:18 Bare Land Development
- § 8:19 Phased Development—True Phased Development
- § 8:20 —Barely Blended Development
- § 8:21 Developer Offences at Law
- § 8:22 Investigations
- § 8:23 The Accidental Developer
- § 8:24 Conclusions

CHAPTER 9. OWNING A CONDOMINIUM UNIT

- § 9:1 Introduction
- § 9:2 The Pros and Cons of Condominium Ownership

TABLE OF CONTENTS

- § 9:3 Purchasing a Condominium Unit
- § 9:4 —Condominium Documents for Purchasers
- § 9:5 —Estoppel Certificates
- § 9:6 —Seller’s Considerations
- § 9:7 A Collective Financial Responsibility
- § 9:8 Renting a Condominium Unit
- § 9:9 —Rental of Units
- § 9:10 —Enforcement Actions against Tenants
- § 9:11 —Eviction of an Owner?
- § 9:12 —Short-Term Rentals: Licenses vs. Leases
- § 9:13 Conclusion

CHAPTER 10. DISPUTE RESOLUTION AND REMEDIES

- § 10:1 Introduction
- § 10:2 Section 67 - the “All Terrain Vehicle”
- § 10:3 —Standing
- § 10:4 —The Improper Conduct Enforcement Process -
Condominium Corporations
- § 10:5 —Eviction of an Owner
- § 10:6 —The Improper Conduct Enforcement Process -
Owners
- § 10:7 —Oppression
- § 10:8 —Costs
- § 10:9 —Jurisdiction
- § 10:10 —Legal Representation in Improper Conduct
Actions
- § 10:11 Administration
- § 10:12 Fines/Monetary Sanctions for Non-Compliance
with a Condominium Bylaw
- § 10:13 Alternate Dispute Resolution
- § 10:14 Builders’ Liens
- § 10:15 Dispute Resolution Tribunal
- § 10:16 Conclusion

CHAPTER 11. TERMINATION AND AMALGAMATION

- § 11:1 Introduction
- § 11:2 Amalgamation
- § 11:3 Termination—Termination of Condominium Status
- § 11:4 —Sale of Property
- § 11:5 Dissolution of a Condominium Corporation

§ 11:6 Conclusion

APPENDICES

Appendix A. Checklists

Appendix B. Condominium Property Regulation (Alberta):
Forms and Schedules

Appendix C. Glossary of Terms

Table of Cases

Index