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## Condo Act guide is user friendly

### SPECIAL TO THE STAR

The new Condominium Act, which came into force on May 5 of this year, is the first change to Ontario's condominium legislation in more than 20 years.

During most of that time, the 1978 legislation was widely considered inadequate to ensure proper corporate governance, to balance the rights and duties of owners, to protect consumers, and to encourage condominium development.

But it took two decades for the government to change it.

The Condominium Act 1998 represents a watershed change in the organization and operation of Ontario condominium corporations. It contains significant improvements over the old act in the areas of new consumer protection for purchasers, management procedures for condominium boards, and flexibility for developers of new projects.

The old act was only 60 sections long, while the new one is more than triple that at 189. But a reading of the legislation is not enough to give the complete picture of the changes because they are so complex and so many of them are buried in the accompanying regulations rather than in the act itself.

Trying to wade through the legislation and the regulations without a detailed guide is like trying to find an obscure city street without a road map. And that's why anyone involved in operating, managing or advising condominium corporations needs a comprehensive guide like *The Condominium Act: A User's Manual*, by Audrey Loeb (Carswell, \$65; ISBN 0-459-27023-0).

The first of three new condominium guide books to appear in print, Loeb's book is a phenomenal tool for hands-on use by those of us involved in the condominium industry. The product of three years' intensive effort, the book is not specifically designed for lawyers or developers, but rather for the layman and people who are regularly involved in the operation of condominiums — condominium board members, property managers and informed real estate agents, as well as lawyers who handle condominiums and condominium conveyancing.

For me, the most helpful portions of the book are the 42 different checklists that are designed to help locate all the relevant provisions for a particular topic.

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Checklist 15, for example, lists the requirements for a status certificate, the document that replaced the old estoppel certificate.

Other checklists which users will find invaluable, are for owners' meetings, records, bylaws, rights and duties of a purchaser, repair and maintenance requirements, and reserve funds.

One of the most important checklists details priority business for the boards of existing condominiums with the coming into force of the new act. Among these are six new legal requirements, including changes to the rules for investing the corporation's money, and the necessity of conducting a reserve fund study. As well, there are three "strongly recommended actions" for boards of directors and eight bylaws and resolutions worth considering.

The *User's Manual* is divided into 30 chapters of commentary explaining each major provision of the new act, how it is intended to work in practice, and highlighting the changes from the 1978 legislation.

The book includes the full text of the new act and the regulations, along with more than 100 case summaries which explain how the courts have interpreted particular provisions in the past and how these will apply under the new act.

All of the prescribed forms under the old act have been replaced or amended, and in total there are now 41 new forms to contend with: 26 under condominium regulation 48, and 15 under regulation 49. They are all reproduced in the *User's Manual*.

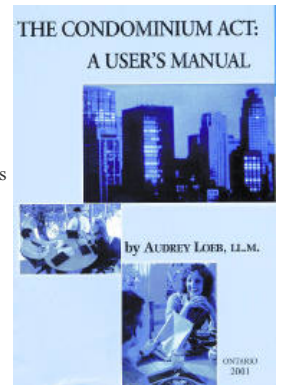
Loeb, author of the new *User's Manual*, practises condominium law at Miller Thomson in Toronto, and is a professor at Ryerson University.

Compared to the prices of most other legal books in my library, at \$65 this book is a bargain. It may be ordered by phone at 1-800-387-5164 or 416-609-3800; by fax at 1-877-750-9041 or 416-298-5082; via e-mail at [orders@carswell.com](mailto:orders@carswell.com) or on the Web at <http://www.carswell.com>.

**Bob Aaron is a leading Toronto real estate lawyer.**

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EASY DOES IT: Guide to new Condominium Act is designed for layman use.