

Status Year-end 2019 re Condominium Property Amendment Act

The Condominium Property Amendment Act was passed in December 2014. Regulations for the Act were developed afterwards. This required the government to bring more than 50 amendments into force. They were approved on October 12, 2017 and came into effect January 1, 2018 and April 1, 2018

These new rules, called Phase I or Stage 1, are intended to protect condominium buyers and to provide confidence that their investment is properly looked after. This will require the developer to provide more and timely information to the buyer and especially to advise about changes in the timelines. It is also expected that the developer will have to provide realistic fee schedules before taking possession.

Phase II of the ongoing amendment of the Condominium Property Act and Regulations was announced in December 2018. The plan was that Phase II would become effective on July 1, 2019 with some implementations pushed back to January 1, 2020. The most important subjects covered under the new regulations are:

- ✚ Voting procedures and general meeting notices
- ✚ Access to condominium documents
- ✚ Financial considerations
- ✚ Insurance requirements
- ✚ Reserve funds

On June 27, 2019 Service Alberta issued a surprise announcement that they would pause the implementation of the second phase of the planned amendments to the Condominium Property Act and Regulations. It ordered a “Red Tape” review to ensure that the amended Condominium Property Regulations would not create unnecessary red tape and undue administrative burdens on the condominium industry.

On November 27, 2019 the Minister of Service Alberta announced that the revised Phase II Alberta condominium regulations, which primarily cover governance, will come into effect on January 1, 2020, alongside regulations for insurance of condominiums. It was also stated that “an updated regulation, and an updated *Condominium Property Act*, will be made available through the Queen’s Printer website on or about January 1.

Although the delay has paused any changes, it should be noted that both Crossbow Boards continued with the work regarding the new regulations that had commenced in early 2019. The focus was i) becoming thoroughly acquainted

with the new regulations, ii) initiating the process of meeting the regulations and iii) drafting bylaws which followed the requirements of the new Act. The team which spearheaded these activities consisted of representatives of both Boards, but additionally worked closely with Peka and MacLeod Law, LLP. A draft document has been written. This work will have to continue into the new year. The AGM & ACM meetings will provide opportunities and dialogue re these condominium regulation matters. Further, plans are being considered to arrange for a “town hall”-style meeting covering a regulations and bylaws review.