

Information Sheet: Condominium Document Rules

Overview

Following multiple rounds of consultations, spanning six years and three governments, Alberta has new regulations guiding condominium practices in the province. The amendments to the *Condominium Property Regulation* come into effect on January 1st, 2020 and are applicable to everyone in the sector. The new regulation details governance and operation confines for condominiums including new rules for condo documents and fees which will change how REALTORS® work in this marketplace.

New Document Categories and Caps

Estoppel	\$200
Information Statement	\$100
Supplemental documents	\$10/document OR \$0.25/page if hardcopy and over 40 pages

For further breakdown, see “Document Categories & Fee Caps” appendix

Rush & Expedited Fee’s Defined and Capped

Information Statement and Supplemental documents can be requested to be produced within 3 days. If they are produced within that timeframe, an additional fee may be charged.

Estoppel	Up to \$100 rush fee
Information Statement	up to \$50 rush fee
Supplemental documents	up to \$20 rush fee per document

Arm’s Length Providers

Condo Corporations and Managers can still use third parties to provide Information Statement or Supplemental documents, however the party must be arm’s length and cannot share any portion of their fee to the corporation, manager, or an employee of either.

To cover the expense of the service, the Arm’s Length Provider must base the fee on either a charge for each document or a charge representing a percentage of the cost of the documents, but not both. The fee structure has to be set out in a contract.

If a condo corporation or manager wishes to use an Arm’s Length Provider, they must still have a mechanism for any party to obtain the documents other than through the Arm’s Length Provider.

Inclusion of Electronic Document & Copies

Condo Corporations can now retain information in electronic format as long as the electronic copy is complete, entirely legible, and is capable of being reproduced electronically as well as into hard copy. These electronic format documents can be considered the original document. If material is sent which was not explicitly requested, no fee can be charged for the unsolicited materials.

Owners are not precluded from making copies of any Information Statement or Supplemental document and providing copies to other persons.

Time/Event Triggered Free-of-Charge Documents

Certain documents relating to governance and financials are now required to be shared with owners on a reoccurring basis.

No less the 14 days PRIOR to an AGM

20.52(1)(e) – A copy of the budget of the corporation *via written notice*

20.52(1)(f) – A copy of the annual financial statements of the corporation *via written notice*

20.52(1)(q) – Copies of reserve fund plans, reserve fund reports, and annual reports *via written notice*

Within 60 days AFTER an AGM

20.52(1)(l) – The text of written ordinary and special resolutions voted on by the corporation and the results of the voting on those resolutions, other than the results of a vote conducted by a show of hands *via approved or draft minutes*

No less than 30 Days PRIOR to a change of status

20.52(1)(k) – A consolidation of all the rules made by the corporation under section 32.1 of the Act *via common area posting or written notice no less than 30 days before the change takes place.*

Note: Applicable only to rules being added, removed, or amended

Exception: Temporary rules may come into effect immediately for safety/security purposes

Within 30 Days AFTER a change of status

20.52(1)(n) – Copies of insurance certificates held by the corporation *via written notice within 30 days of the change*

20.52(1)(o) – The current standard insurable unit description for the residential units or classes of residential units *via written notice within 30 days of the change*

20.52(1)(p) – The current standard insurable unit description for the residential units or classes of residential units *via written notice within 30 days of the change*

Further Resources

Government of Alberta's Condominium Rules Consultation website:

<https://www.alberta.ca/condominium-consultation.aspx>

For any further questions, please email us at advocacy@albertarealtor.ca