



Reopening Ontario After COVID-19:

A Guide for Condominium Managers

Ontario is in the process of reopening following the coordinated response to the coronavirus outbreak. The approach to reopening will be gradual and introduced in stages, as outlined in [A Framework for Reopening Our Province](#), released on April 27, 2020.

Under advice from federal and provincial public health authorities, extreme measures were enacted to keep communities safe during the COVID-19 situation. This included enacting an emergency order under the *Emergency Management and Civil Protection Act* (EMCPA) that required the closure of certain businesses and restricting public events, social gatherings, and meetings.

As providers of an essential service, condominium managers have an important role to play in keeping condominium communities across the province safe. As the Government of Ontario starts to ease restrictions on businesses and individuals, the CMRAO is providing some guidelines and information to support condominium managers as they transition to reopened operations during these constantly evolving times.



**Condominium Management
Regulatory Authority of Ontario**

www.cmrao.ca | info@cmrao.ca

How Management Service Providers and Condominiums are Adapting

In May 2020, the CMRAO conducted a survey of condominium management service providers seeking their input on how the recent emergency orders had impacted their operations and the condominium corporations that they serve in Ontario.

Responses to the survey suggest that management service providers have adapted well to the new environment and are preparing to resume their normal operations:

85% of respondents indicated that they have developed plans to help their clients adapt as the government begins easing restrictions

83% of respondents indicated that they have discussed these plans with the boards of their clients

To date, it does not appear that condominiums are having significant difficulties collecting fees from owners:

72% of respondents indicated that they had not observed any difference compared to before the emergency orders were put in place

27% believe there has been a slight increase in the number of owners who have defaulted on payments

Only one respondent indicated that they felt there has been a significant increase in the number of owners who had defaulted on payments.

Condominiums appear to be taking advantage of certain provisions related to the emergency orders:

61% of respondents indicated that at least some of their client condominium corporations had started holding, or plan to hold, owners' meetings using electronic or telephonic means

21% of respondents indicated that more than 50% of their clients were taking advantage of this change

40% of respondents indicated that some, but less than 50% of their clients were taking advantage of this change

39% of respondents indicated that none of their clients were taking advantage of this change

Areas Where Management Service Providers Are Seeking Guidance

Management service providers identified the following as the top three areas where they are currently seeking guidance:

1. Holding Meetings
2. Entering Owners' Units
3. Use of Common Elements

In response to this, the CMRAO has developed the following guidance for licensees during this period when emergency orders and restrictions are gradually being eased.

In all instances, individual managers are encouraged to seek support and guidance from their employer (the condominium management provider) and to communicate and discuss plans with their clients' boards. Managers should also refer to the CMRAO website for updates. When in doubt, managers should seek legal advice.



As providers of an essential service, condominium managers have an important role to play in keeping condominium communities across the province safe.

The CMRAO recognizes that these are exceptional circumstances. Condominium managers should act in accordance with current government directives (including emergency orders) regarding the decisions they make and the advice they give to condominium boards during the declared emergency period.



Holding Meetings

Whether for board meetings or owners' meetings (including AGMs), there are obvious challenges with regard to holding meetings at this time. From booking space to maintaining the appropriate physical distance, in-person meetings will continue to be challenging for some time, even as government restrictions are eased.

If your clients' condominium boards are not already holding meetings electronically, managers should consider whether doing so would now be appropriate for the particular condominium corporation. There are a number of platforms available for conducting meetings of this nature. For example, the CMRAO has transitioned to a telework environment without disrupting its ability to hold staff and board meetings, and meetings with vendors and external partners. Search the internet and discuss with industry counterparts to find a platform that works best for your management business and your clients.

Owners' meetings are more complex than board meetings. The ability to host meetings virtually with potentially dozens or even hundreds of participants may seem like a daunting task. That said, there are electronic platforms that can be used to handle these meetings, although there may be associated costs depending on the size of the meeting.

Amendments to the *Condominium Act, 1998*, under the EMCPA extend the period of time in which condominium corporations must hold an annual general meeting (AGM) as a result of the emergency. Although this provides condominiums and management providers some flexibility, it is foreseeable that there may be a resource crunch when the order expires, and management providers will have to make accommodations for multiple clients at the same time. This challenge may be compounded by the fact that when the emergency order does expire, condominiums will likely continue to operate under new protocols, such as physical distancing and increased use of personal protective equipment (PPE).

Hosting meetings virtually with potentially dozens or even hundreds of participants may seem like a daunting task, but there are electronic platforms that can be used.



For this reason, management providers are encouraged to work with their clients' boards to take advantage of the flexibility in the legislation around the use of virtual meetings and hold as many AGMs as is reasonably possible.

The CMRAO also suggests that it is appropriate to encourage owners to use proxies during these times, specifically for the purposes of establishing quorum. Managers should send communications that clearly explain to owners what their options are when it comes to the use of proxies.

Please refer to CMRAO's guide [Use of Proxies and Proxy Forms](#), available on the CMRAO website to ensure you are following the CMRAO's existing policies on this topic. Remember that the manager's role is to be a neutral administrator of the meeting and voting processes and should not favour (or appear to favour) any particular outcome. To reduce the appearance of conflict, managers should discuss this topic with their clients' boards and suggest that any communication to owners is sent from the board, with questions directed to management.

The Condominium Authority of Ontario has published useful information about condominium meetings. Please [visit the website](#) for additional information.

If a complaint is made against a licensee, the CMRAO will take into account the exceptional circumstances created by the emergency, as well as the manager's efforts to follow all government directives and these guidelines.

Entering Units

Understandably, individual unit owners may be more hesitant to allow managers and contractors into their units during these difficult times. This puts managers in a challenging position as they must balance the need to treat owners fairly, while ensuring that they continuously act in the best interest of the condominium corporation.



If you are required to enter a unit for any reason, always take reasonable steps to ensure that:

1. The unit owner has been provided with reasonable notice and given a fair opportunity to prepare themselves for when you will attend the unit
2. You and the owner maintain a safe distance from one another
3. You properly use personal protective equipment (PPE) to protect yourself and the owner
4. You are following any other rules and guidelines issued by the government and Chief Medical Officer of Health

If you are overseeing a contractor who is required to enter a unit, be sure to communicate these principles to the contractor in writing and ensure that the contractor is adequately supervised. If you become aware of a contractor who is not adhering to these guidelines, raise the issue with the contractor and also inform the board so that they can assess the situation. If a complaint is made against a licensee, the CMRAO will take into account the exceptional circumstances created by the emergency, as well as the manager's efforts to follow all government directives and these guidelines.

If a unit owner expresses concerns with entering their unit, or refuses entry to their unit, carefully consider their concerns and communicate with them in a professional and respectful manner that is mindful of the current emergency situation. If the requirement for entry is not an urgent, time-sensitive matter, try to make every reasonable effort to accommodate the owner.



Useful tips

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Ultimately, you may encounter an instance where you have no choice but to enter a unit despite an owner's refusal. In these instances, be sure to document the incident in writing and report it to the board.

- Explain the reason for entering the unit and that all reasonable measures will be taken to protect the residents of the unit
- Confirm a time window for when you will require entry to the unit and advise the owner that you will call when you arrive
- When you arrive, call the resident and ask that they unlock the door and that they stay with you on the phone as they distance themselves from the entryway
- Use appropriate PPE during your time in the unit, such as masks, shoe coverings, and sanitizer



Use of Amenities and Common Elements

As condominiums begin to reopen amenities, it is important that condominium management service providers work with their clients' boards in developing plans that will ensure the corporation continues to adhere to government-issued rules and guidelines, while upholding the safety of the staff and residents of the condominium.



Plans need to be flexible and should adapt as the government provides updated information, rules, and guidelines. As you develop and refine plans, try to gather as much information as possible from your clients so that your plans fit their needs. It may be helpful to start with a listing of all the amenities in the condominium corporation, including details on:

- normal capacity of the amenity
- cleaning/disinfectant schedules
- ventilation systems within specific amenities
- reservation systems/processes
- hours of operations

Once you have gathered these details, you will be in a better position to work with your clients' boards to establish new policies as appropriate, such as:

- mandatory booking required to use amenities
- requiring residents to disinfect equipment before usage
- staggering operating hours to allow for more frequent disinfection
- lowering capacity to ensure appropriate physical distancing is possible
- changing the configuration or allowed usage of specific equipment, such as blocking specific gym equipment or barbecues on specific days so that residents maintain appropriate distancing

Condominium management providers should also monitor the availability of disinfectants, cleaners, and other forms of PPE to help their clients purchase enough equipment to suit their needs. Whenever possible, condominiums should maintain an adequate supply of disinfectants, cleaning products, and PPE.

Role of the Condominium Manager

It is a collective responsibility to ensure the health and safety of condominium communities. Condominium managers are required to advise the condominium corporation's board of directors of their obligations and responsibilities to follow the legislation, which in the case of COVID-19 involves following emergency orders.

The board of directors is ultimately responsible for making decisions for the corporation and relies on their condominium manager to offer advice and implement solutions.

Additional Recommendations

Condominiums are unique in terms of design, the number of residents, the amenity spaces, and common elements, and therefore each condominium has individual needs. Condominium management providers should develop reopening plans that are tailored to meet the specific needs of each client. They should also maintain communications and discuss the plans with the board of directors.

As this is a constantly evolving situation, adjustments may be necessary to accommodate updates from the federal and provincial governments, and public health officials.



Follow Regulations

- Comply with orders that limit the number of people that can be in a space at one time
- Stay on top of changes during this constantly evolving situation
- Consult with legal counsel to ensure that you understand new orders and amendments to legislation



Maintain Physical Distancing

- Use tape, decals, and other markings to ensure minimum physical distancing is maintained
- Use signage that is clear and easy to understand to encourage residents, visitors, contractors, and delivery people to comply with the order
- Ensure there is signage near elevators to limit the number of people who can ride at one time



Provide Personal Protective Equipment

- Create a list of suppliers and ensure the corporation maintains an adequate supply of PPE for staff and residents, which may involve gloves, masks, and sanitizer
- Do research to stay informed of the kind, quality, and quantity of supplies that must be ordered



Monitor Staff

- Adjust staff and contractor arrival/departure times (where possible) to avoid too many people being in common areas at the same time
- Monitor staff to limit exposure and spread
- Plan for isolating staff/contractors who are symptomatic or have tested positive for COVID-19, which should include how/when this information is communicated to the condominium board and residents, and reported to public health authorities



Clean Common Areas

- Establish an enhanced cleaning schedule to ensure that high-traffic areas receive more attention



Maintain Communications

- Provide residents with regular updates about the corporation's plan to reopen in response to orders issued by the government and public health officials



Have a Contingency Plan

- Develop a plan so that you are prepared in case things change and new emergency orders are implemented



Create Safe Spaces

- Provide an area where residents can safely pick-up/drop-off packages and other materials



Official Sources of COVID-19 Information:

- [Ontario.ca/stopthespread](https://ontario.ca/stopthespread)
- [Ontario.ca/coronavirus](https://ontario.ca/coronavirus)
- [Public Health Ontario](https://www.health.gov.on.ca)
- [Government of Canada](https://www.government.ca)
- [Health and Safety Guidance for Workplaces](https://www.healthandsafetyguidanceforworkplaces.ca)

The CMRAO is committed to providing valuable information and useful resources to help condo managers understand and meet their legal and professional obligations. The COVID-19 situation is constantly evolving, and the CMRAO is here to provide guidance to condominium communities across the province through this crisis.

If you need more information, please contact us.