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After I moved into my condominium unit the Board of Directors advised me that there were certain rules I had to follow. I didn't know about these rules at the time I purchased my unit. Do I have to comply with them?

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YES, you are required to comply with the rules.

Your condominium is governed by several documents, including a declaration, by-laws, rules and agreements (the "governing documents") to which you are bound. At the time of signing your offer to purchase the property you had an opportunity to review all of the governing documents by virtue of requesting, receiving and reviewing a status certificate from the condominium. A status certificate is a document which provides basic and essential information concerning the financial status of the unit and of the condominium and also contains copies of the governing documents.

If you chose not to request a status certificate, or failed to review the status certificate once received, this does not absolve you from having to comply with the governing documents. It is also highly recommended that even if you retain a lawyer to review the governing documents you should also do so yourself. You are, after all, going to be the one living at the condominium and must be aware of the documents that govern your ownership of the unit and lifestyle at the condominium. So long as the governing documents are in force you are required to comply with them. Your condominium has a duty to take all reasonable steps to ensure that owners, occupants and visitors comply with the Condominium Act, 1998 and the condominium's governing documents. Your condominium has this duty despite the fact that you may not have requested a copy of the status certificate and/or reviewed the governing documents.



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Maria Durdan is the head of the Condominium Practice Group at SimpsonWigle LAW LLP; she specializes in condominium law, development and administration. Maria supports over 650 of the firm's residential and commercial condominium clients throughout Ontario. Maria has also obtained her Associate of Canadian Condominium Institute (ACCI) designation in law, which recognizes that she has achieved a high level of knowledge and skill of condominium law. Maria is a Director on the Canadian Condominium Institute – Golden Horseshoe Chapter and the Chair of the Education Committee. Maria's practice includes advising boards of directors, property managers and developers on all areas of condominium law.



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