

OWNERS' MEETINGS

Annual General Meetings

Timing

- Must be held within 6 months of the end of the fiscal year of the corporation (for new corporations - within 3 months of registration), s.45 (2)

Form & Content

- The notice must:
 - be in writing, s.47 (1) (a); and
 - specify the place, date and hour of the meeting as well as the business to be dealt with at the meeting, s.47 (9) (a).
- The notice must include:
 - copies of all proposed changes to declaration, by-laws, rules or agreements to be dealt with at the meeting, s.47 (9) (b) (i);
 - name and address of any person who has notified the corporation of their intention to run for a director's position, s.28 (2);
 - a statement that one position on the board is reserved for voting by owner-occupied units (if that position is open for election) and the name and address of any person who has notified the corporation of their intention to run for that position, s.28 (3); and
 - the approved financial statements, auditor's report and any other financial information the by-laws of the corporation may require be provided to the owners, s.69 (1).
- NOTE: No vote may taken at a meeting on any matter, other than "routine" procedural matters unless the matter to be voted on was "clearly" disclosed in the notice, s.47 (10), however at an AGM, owners are entitled to "discuss" (ie. cannot vote on the issue) any matter relevant to the affairs for the corporation, s.45 (3).
- The corporation must give "at least" 15 days notice of meeting - meaning it can be issued no later than the 17th day before the meeting, s.47 (1) (b)
- The notice is given to:
 - all owners whose names and address for service are listed in the corporation's "record" (s.47 (2)) as of the 20th day before the date of the meeting, s.47 (1) (c) (i) & s.47 (5);
 - all mortgagees that have a right to vote at a meeting, have notified the corporation of their name and address for service and who are listed in the record of the corporation as of the 20th day before the meeting; and
 - to the corporation's auditor, s.70 (2).
- The notice may be delivered:
 - to the owner/mortgagee personally, s.47 (7) (a) & 47 (8) (a);
 - by prepaid mail sent to the address for service of the owner/mortgagee as listed in the record of the corporation, s.47 (7) (b) & 47 (8) (b);
 - by fax, e-mail or other method of electronic communication if agreed to in writing by the owner/mortgagee, s.47 (7) (c) & 47 (8) (c); and
 - to the owner's unit or mailbox if the owner has requested it and the address in the corporation's record is the address of the unit, s.47 (7) (d).
- If one or more owners/mortgagees attend a meeting in person or by proxy they are deemed to have waived their right to object to any defect in the manner of giving notice unless they expressly object to it at the meeting, s.47 (11)



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The Condominium Group gratefully acknowledges the contributions of the originator of this guide, the late Ronald S. Danks

Requisitioned Meetings

Timing

- The corporation must call and hold a requisitioned meeting within 35 days of receiving it, s.46 (4) (b) and at the request or with the consent of the requisitionists, the corporation may add the business to the agenda for the next AGM, s.46 (4) (a)

Form & Content

- The requisition must:
 - be in writing, s.46(2) (a);
 - state the nature of the business to be dealt with, s.46 (2) (b);
 - be delivered personally to the president or secretary of the corporation or to the address for service of the corporation, s.46 (2)(c);
 - be signed by owners representing at least 15% of the units and who, as of the date the requisition is received, are listed in the corporation’s record and are entitled to vote (ie. not in arrears of their common expenses for 30 days or more), s.46 (1); and
 - if the requisition includes the removal of one or more directors, include the name of the director(s) to be removed, the reasons for the removal and whether any of the director(s) to be removed occupy the position on the board reserved for voting by the owner occupied units.
- The notice of the requisitioned meeting must:
 - include a copy of the requisition, s.47 (9) (b) (ii); and
 - comply with all other notice requirements as set out above.

Compliance

- If the corporation does not call the requisitioned meeting any one of the requisitionists may call the meeting which must be held within 45 days of calling it, s.46 (5)
- If a requisitionist calls the meeting the corporation must reimburse that person for the “reasonable” costs incurred in calling the meeting, s.46 (6)

Other Meetings

- Any other meeting of the owners called by the corporation must comply with all of the requirements for calling and holding an AGM except for the requirement to provide financial information (unless it is applicable to the business of the meeting), s.45 (4)
- In addition, owners are not entitled to raise matters for discussion not disclosed in the notice for the meeting (as they are entitled to at an AGM) unless the agenda includes a statement that other business may be raised

Timetable for Calling a Meeting

Day:

60-45 Determine meeting date, book hall, and announce deadline for submitting names for directors’ positions by mail and/or newsletter	21 Deadline for receipt of candidates’ names for ordinary directors’ positions	20 Notice given to persons* listed in records as of today	18 Deadline for receipt of candidates’ names for owner occupant position on the board	6 Deadline for receipt of mortgagees’ notice of intent to vote	0 Date of meeting
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* “Persons” includes owners, mortgagees of record who wish to receive notice and the auditor