

CONDOMINIUM REFORM SWEEPS ONTARIO, CANADA: MANAGER LICENSING AND MANDATORY CONDO BOARD TRAINING

As with most countries; including the U.S., Canada has seen tremendous growth in the development of condominiums in the last 30-40 years. It is vital that this area of the housing market be high functioning with appropriate consumer protections for those calling a condominium their home. The Community Associations Institute Canada Chapter is working with the Ontario Ministry to ensure long-term health of the condominium industry. Within the last 90-days, CAI Canada leadership has held numerous meetings with the Ontario Ministry and conversations with stakeholders to formulate and submit comments to the Ontario Ministry on proposed regulations on two very important topics - **Condominium Management Services Act** and **Protecting Property Owners Act**. A summary of our comments and a link to the regulations and our comment letters may be found below.

[CONDOMINIUM MANAGEMENT SERVICES REGULATIONS](#)

Best practices in occupational licensing allow governments to safeguard consumers while maintaining a modernized regulatory system that meets the needs of workers and businesses. This simple statement creates a high threshold for a regulatory agency to balance the process to ensure it is not overly burdensome, difficult, or expensive to obtain for workers and companies while adequately protecting consumers.

CAI focused our comments on the following recommendations:

- **Streamline the licensure program** by eliminating unnecessary and burdensome levels of licensing and decreasing the amount of experience required for an individual to obtain a professional license.
- **Refocus the competency assessment from education and experience to assessment through an examination.** Real protection to consumers occurs when a professional is able to demonstrate they are competent and may practically apply the core knowledge required to be successful. The most common way to demonstrate competency is through examination that is specifically designed to assess abstract knowledge of the profession. Coursework examinations test concrete knowledge. Psychometric examinations test abstract (practical) knowledge and therefore tests an individual's ability to apply what they know in a real life situation. The Certified Manager of Community Associations (CMCA) examination is the only international examination developed for the profession to assess an individual's ability to practically apply the core competencies of condominium management for their client corporations. CAI Canada recommended the Ontario Ministry recognize CAI Professional Management Development Program coursework and CAM-ICB's CMCA examination.
- **Ensure the education and experience requirements and the fees related to the licence are affordable** enough to allow workers to enter the field while providing real protection to consumers. Further, because licensing excludes people who would work in an occupation if the barrier to entry were lower. Research finds that more restrictive licensing raises prices for goods and services provided by licenced professionals by

between 3 and 16 percent. The benefits of licensing need to be balanced against these impacts and increased costs.

It is beneficial for the Ministry to adopt and recognize existing coursework and examinations that meet high standards and regulatory needs. Creating new coursework and examinations is a costly endeavor for all regulatory agencies. Adopting and recognizing existing coursework and examinations will save a tremendous amount of tax payer dollars, extra fees on licencees and increased costs on consumers.

[CAI Comments on the Regulation under the Condominium Act 1998 Amending O Reg 48 01 \(Mandatory Board Member Training\)](#)

[PROTECTING PROPERTY OWNERS ACT REGULATIONS](#)

The Protecting Property Owners Act Regulations establish a standard of practice for information certificates (resale disclosures/estoppels), notice requirements to owners, mandatory disclosures, board training, meetings and elections, and retention of and access to records.

CAI Canada focused the comments in these regulations on the Mandatory Board Member Training and encourages the Ontario Ministry to:

- **Rely on existing programs developed by subjected matter experts in the field of condominium governance.**
- **Offer flexibility to condominium board members** in how they access the board member training programs and to allow board members to attest to compliance with a code of ethics, governance principles and standards and rights and responsibilities for better communities.

CAI supports education and training that will enable board members to understand their responsibilities and fulfill their fiduciary duty to a condominium association. CAI encourages boards to receive education in ethics and leadership, financials and reserves, insurance and risk management, rules creation and enforcement, meetings and elections, communication, conflict resolution and community building. Mandatory board training program shall focus on incentives to encourage boards to utilize existing industry tools and best practices to achieve goals rather than creating new processes and burdens.

CAI Canada expects final regulations to be released this summer and will continue to educate CAI members and stakeholders on the final regulations along with information on how to

comply with the new regulations. Contact CAI Canada at with any questions.

WHERE CANADIANS LIVE

1 in 8 households lives in a condominium

53% of Canadian households in Toronto, Vancouver and Montreal live in condominiums



High-rise apartments are the #1 source of housing in Toronto



Low-rise apartments are the #1 source of housing in Quebec