

Proposed Regulations Under Condominium Management Services Act, 2015 – Public Comment Sought

The Ontario Government recently released additional [draft regulations](#) to support the implementation of the Condominium Management Services Act, 2015.

Previously the Government filed Ontario Regulation 123/17 which deals with condominium manager licensing requirements. That regulation will come into force on November 1, 2017.

The proposed regulations focus on the following areas:

- Procedures relating to complaints about a condominium manager or condominium management services provider;
- Insurance requirements – Both errors and omissions insurance and fidelity insurance are required, plus an obligation to provide condominium corporations with certificates of insurance and notices of termination, cancellation and changes in insurance;
- Disclosures required by licensees prior to entering into a contract for condominium management services;
- Obligations relating to condominium records, including duty to maintain records securely and accurately, make them available for inspection by the condominium corporation as soon as reasonably possible after requested and transfer records as soon as reasonably possible after request by the condominium corporation;
- Obligation on condominium management services provider to supervise managers who hold a limited licence;
- Code of Ethics which includes the obligation to:
 - act with fairness, honesty and integrity
 - treat all persons equally without discrimination, harassment or violence and provide reasonable accommodation to persons with disabilities when providing management services
 - provide conscientious, courteous and responsive service
 - demonstrate reasonable knowledge skill, judgment and competence and not provide opinions without the necessary experience or education
 - use current forms and documents
 - be financially responsible when providing condominium management services
 - not misrepresent the type of licence held by the manager
 - use best efforts to prevent error, fraud, misrepresentation or other unethical practice
 - not engage in any act or omission reasonably regarded as disgraceful, dishonourable, unprofessional or unbecoming a licensee
 - not unreasonably interfere with the use and enjoyment of units, common elements or condominium assets by condominium corporation or owners
 - keep the condominium corporation informed of all significant steps taken by the manager and not exaggerate, misrepresent or conceal material facts
 - promote and protect best interests of the condominium corporation
 - not disclose confidential information without prior written consent
- Composition of and procedures for the discipline committee and appeals committee;

The proposed regulations are targeted to come into force on February 1, 2018.

Comments on the proposed regulations can be submitted by no later than October 16, 2017. [Click here](#) to submit comments.