



## GMA Condo Document Packages

We instruct **Gardiner Miller Arnold LLP ("GMA")** to proceed with the following project(s) identified by our checkmark in the applicable checkbox:

1. **Guaranteed Lien Collection** ~ Lien collections for arrears of monthly common expenses are undertaken at no cost to the Corporation when accurate and timely information is provided to us. Fees for chargeback liens (s. 92) or litigation liens (s. 134) and are charged to the Corporation at the standard hourly rates for time spent by our lien clerk and lawyer, but usually all amounts are collected from the unit owner.
2. **Comprehensive General By-law Package** ~ GMA's CGBL incorporates typical general by-law provisions, plus over 200 practical improvements. See GMA's By-law Chart on page 14. Ask for GMA's complimentary CGBL Introductory Package for details.
3. **Standard Unit By-law Package** ~ GMA's SUBL establishes a standard unit definition, highlights 16 exclusions, defines maintenance, repair and insurance obligations and an extended insurance deductible clause. See GMA's By-law Chart. Ask for GMA's complimentary SUBL Introductory Package for details.
4. **SPECIAL BY-LAWS** ~ See GMA's By-law Chart on page 14. We offer 23 types of special by-law packages and forms and by-law registration criteria, included documents and related services (\$495 + disbursements + HST).
5. **By-law Registration** ~ Preparation of registration documents, execution, subsearch, registration and reporting (our fee of \$245 + applicable registration costs, disbursements + HST).
6. **Rules Upgrade** ~
  - a) Prepare GMA's Comprehensive (High Rise  Townhouse ) Rules and provide a 37 page menu of rules for the board's selection to suit the circumstances (\$1,280 + disbursements + HST, including up to 2 hours legal processing time). (**Recommended choice**);
  - b) Prepare GMA's suggested menu of Comprehensive (Recreational  Shared Facilities ) Rules (\$750.00 + disbursements + HST, including 1 hour's legal processing time). (**Recommended choice**);
  - c) Review existing rules simply for compliance on a time-spent basis; or
  - d) Compare your existing rules to our comprehensive set of rules and add additional rules on a time-spent basis.
7. **Owners' Alterations Agreement** ~ Prepare and provide the document packages for the following situations:
  - a) Multi-Purpose incorporating numerous standard Alterations and Specifications (\*\$1,280);
  - b) Single Purpose for all Unit Owners (Usual fee range \*\$905 - \$1,280);
  - c) Owner's Unique Alterations (Hourly rate. Usual fee range: \*\$1,200 - \$2,000); or
  - d) Community Standards Declaration Amendment approving numerous alterations (\*\$1,850 - \$2,500).

\*Disbursements [approx. \$30] + HST extra, with standard hourly rate for customized provisions, revisions, discussions and time spent in excess of 1 hour, based upon GMA's existing standard Alterations Specifications. Unique specifications to be provided by client or drafted by GMA at its hourly rate. Each participating unit owner pays additional Registration Processing Fee (\$245 legal fee, plus applicable registration fee, disbursements + HST, subject to reductions for bulk registrations).
8. **Declaration Amendment Package** ~ Review the Declaration, identify and draft recommended amendments and provide package of 9 applicable documents (\$2,500 + disbursements + HST, including up to 3 hours legal processing time). Section 109 Court Applications to amend declaration or description charged at applicable hourly rates.
9. **Status Certificate Review** ~ At standard hourly rates.
10. **Standard Condominium Contract Conditions** ~ 27 commercially-reasonable provisions protect your condo and supersede service providers' one-sided terms and conditions, when attached to a contractor's quote or contract. (\$495 + HST, plus hourly rate for time spent to customize for a specific contract, if requested).
11. **CCDC & Other Types of Construction Contracts** ~ Review bid documents, CCDC or construction contract and customize Supplementary Conditions and Designer's Consultant's Agreement. (at standard hourly rates).
12. **Access & Bulk Telecommunications Agreements, with Checklist** ~ Television/Internet agreements require substantial amendments. Rogers/Gardiner or Bell ExpressVu/Gardiner precedents incorporate numerous cost-saving contractual improvements (At standard hourly rates.)
13. **Occupational Health and Safety Policy** ~ Protect employees from injury and directors and managers from personal liability re workplace accidents, with mandatory *Occupational Health and Safety Act* requirements. (\$395 + HST, plus lawyer's hourly rate to customize any requested revisions).

14. **Workplace Violence and Harassment Policy** ~ Adopt the mandatory Policy, Risk Assessment template and Program Documents (including package of explanatory information) (\$595 + HST, plus lawyer's hourly rate to customize any requested revisions).
15. **AODA Policy** ~ Adopt the mandatory AODA Policy and Procedures customized for a condominium as a preliminary template (including our explanatory Article and covering letter) addressing issues related to access issues at a condominium for disabled persons (\$595 + HST, plus lawyer's hourly rate to customize any requested revisions).
16. **Privacy Policy** ~ Protect owners' privacy rights and comply with owners' PIPEDA expectations, while controlling access to records, prevent confidentiality breaches, inappropriate communications by owners, defamation and inappropriate requisitions (\$595 + HST, plus lawyer's hourly rate to customize any requested revisions).
17. **Human Rights Policy** ~ Establish procedures to address human rights claims and protect directors and managers (\$395 + HST, plus lawyer's hourly rate to customize any requested revisions).
18. **Notice of Change of Address** ~ (\$295 + HST, includes fees for preparation, execution, board resolution, letters, registration and reporting).
19. **AGM Package or Requisition Meeting Package** ~ Includes Notice, Agenda, Proxy, Chair's Script, Meeting Rules of Conduct, Motion to Adjourn, adjournment procedures and various other meeting documents (\$495 + HST, plus lawyer's hourly rate to customize any requested revisions).
20. **Meeting Rules of Good Conduct** ~ A meeting handout containing 10 Rules to preclude interruptions, irrelevant comments, improper conduct and uphold chair's control of owners' meetings (\$100 + HST).
21. **Directors' Code of Ethics** ~ Adopt a comprehensive two-page list of preferred and prohibited practices governing directors' conduct (\$100 + HST).
22. **Owners' Code of Ethics** ~ Educate owners to avoid being seduced by defamatory newsletter allegations, inappropriate requisitions and misleading proxy solicitations (\$100 + HST).
23. **Committee Criteria & Code of Conduct for Committee Members** ~ (\$395 + HST plus lawyer's hourly rate to customize any requested revisions).
24. **Shared Facilities Governance Guidelines** ~ Establish standard criteria governing meetings of the shared facilities committee (similar to a General By-law), containing model provisions to be customized to your Reciprocal Agreement, with Sisters' Snits Articles 1 & 2 attached. (\$875 + HST)
25. **Protect Corporation's Name** ~ Register the Corporation's trade name as an Ontario business name registration, subject to a 3-stage process (\$595 + HST). Alternatively, register the Corporation's name and/or logo as a trade mark (\$2,000 + disbursements + HST each, subject to adjustment).
26. **Record Access Form** ~ Criteria governing access to, payment for and restricted use of the Corporation's records, to be signed by a requesting owner (\$100 + HST).
27. **Investment Plan** ~ A form of Investment Plan in compliance with section 115 of the Act (\$185.00 + HST).
28. **Other Instructions** ~ The foregoing are standardized packaged projects, but we have 3,000 other legal opinion precedents and provide many other types of condominium and other legal advice and services. Please summarize your other instructions or legal questions, and we will be pleased to respond at our standard hourly rates.
29. **Condominium Legal Issues** ~ A checklist of legal issues on one page (No Charge).
30. **Ask for GMA's complimentary list of Condominium Articles and Books** (No Charge)

**PLEASE COMPLETE THE FOLLOWING PARTICULARS:**

\_\_\_\_\_ Condominium Corporation No. \_\_\_\_\_ Date: \_\_\_\_\_

**X** \_\_\_\_\_  
 Per: Authorized Signing Officer (*Please sign*)

Address: \_\_\_\_\_  
 Phone: \_\_\_\_\_  
 Fax: \_\_\_\_\_  
 Email: \_\_\_\_\_

Name & Title: \_\_\_\_\_  
*Please Print*

**NOTES:**

1. Legal fees in excess of the times specified for the services listed above are at the lawyer's standard hourly rate in effect as of September, 2013, subject to potential change after 2013. Your instructions to GMA and all references to hourly rates are subject to the criteria and rates set out in GMA's Condo Retainer Agreement with attached Terms and Conditions at [www.gmalaw.ca](http://www.gmalaw.ca).
2. Please e-mail these instructions to GMA at [irene.thrush@gmalaw.ca](mailto:irene.thrush@gmalaw.ca) or fax them to Irene Thrush at 416-363-8451.



## GMA's By-Law Chart

[21 By-laws, 4 Sets of Rules, Policies, s. 98 Agreements & Declaration Amendment]

Choose GMA's CGBL and SUBL or any of the Special by-laws and other precedents listed in items 3 – 21 by completing the applicable checkbox and forward this Chart to GMA at [irene.thrush@gmalaw.ca](mailto:irene.thrush@gmalaw.ca) or by fax to Irene Thrush (416-363-8451). See also Notes 1 – 4 below.

**Inclusive Packages** ~ All by-law packages include our standard form By-law, a set of Procedures, an explanatory letter to directors, a Directors' Resolution, an Explanatory Notice to Owners promoting the by-law and an article pertaining to by-law issues.

**Adjournment** ~ GMA's by-law packages also include GMA's Motion to Adjourn Meeting and the Adjournment Procedures in case it is necessary to enable the by-law to be enacted at an adjourned table-top meeting. We can also provide GMA's optional Adjournment Notice Package containing the forms and notices required to implement the adjournment (see Item 23 below).

**Registration** ~ Each separate by-law when enacted, requires preparation and execution of a Document General (or Authorization & Direction for electronic registration), certificate & by-law, together with letters to you containing execution procedures, registration documents and reporting to you, for a fee of \$245.00, plus subsearch, registration and copying disbursements (approx. \$100) and HST.

See **GMA's Condo Document Packages** ~ Re: Rules (for High Rise/Townhouse/ Recreational/Shared Facilities), four types of S. 98 Owner Alteration Agreements, Telecommunications Packages and Policies (Human Rights, Occupational Health and Safety, Workplace Violence and Harassment, and PIPEDA Policies).

1. **Comprehensive General By-law (CGBL)** ~ We recommend adoption of our CGBL, incorporating typical general by-law provisions, plus applicable Condo Act provisions and over 200 practical by-law improvements (including each of the separate by-laws and forms listed as #3-#20 below). The applicable directors' resolution, By-law Procedures, Notice to Owners, explanatory article and other documents are included in the Package (\$2,500 + HST, with hourly rate for optional services and for drafting and processing times spent in excess of 3 hours). See *GMA's CGBL Introductory Package* for details.
2. **Standard Unit By-law (SUBL)** ~ GMA's SUBL incorporates a precedent standard unit definition, highlights 16 exclusions, defines maintenance/repair obligations, establishes the Corporation's insurance coverages and owners' recommended insurance coverages, and includes the essential insurance deductible clause "extending the circumstances". The Directors' Resolution, By-law Procedures, Notice to Owners, explanatory article and other documents are included (\$1,280 + HST, with hourly rate for optional services and for drafting and processing times spent in excess of 3 hours). See *GMA's Introductory Package* for details.
3. **Mediation/Arbitration Procedures By-law** ~ Streamline procedures and minimize costs to effectively enforce declaration, by-law and rule breaches as per s. 132 of the Act (\$395 + HST).
4. **Realty Tax Assessment Appeal By-law** ~ Empower the board to appeal owners' unit realty tax assessments using expert appraisal advice on a cost-saving, building-wide basis subject to legislative requirements (\$395 + HST).
5. **Insurance Deductible By-law** ~ Extend s. 105's circumstances to make owners liable for damage to other units and the common elements emanating from their unit (\$395 & GST/HST).
6. **Lease of Common Elements By-law** ~ A s. 21 by-law is required for a lease through the Corporation's common elements [Lease not included] (\$395 + HST).
7. **Specific Easement By-law** ~ A s. 21 by-law is required to approve a common elements easement [Easement agreements are extra] (\$395 + HST).
8. **Borrowing By-laws** ~ Numerous options are available. [Financing arrangements, loan agreement, security documents, resolutions, notices and other documents are extra] (\$495 + HST).
9. **Occupancy Standards By-law** ~ Restrict excess occupancy of units per s. 57 of the Act and recover permitted excess common expenses (\$395 + HST).
10. **Directors' Qualifications By-law** ~ Establish various qualifications criteria to choose the best candidates and remove non-complying directors (\$395 + HST).
11. **Directors' Remuneration By-law** ~ Directors can only be paid remuneration in that capacity subject to by-law approval each three years (\$395 + HST).
12. **Indemnification of Directors and Officers By-law** ~ Many old by-laws do not properly indemnify directors and officers (\$395 + HST).

13. **Teleconference and E-mail By-law** ~ Permit meetings by teleconference and establish criteria when e-mail decisions can be made and ratified (\$395 + HST).
14. **Telecommunications (TV/Phone/Internet/Roof-top Dish) By-law** ~ A s. 21 & 22 by-law can permit various telecommunications scenarios [Telecommunication agreements are extra] (\$395 + HST).
15. **Restricted Access to Recreational Facilities By-law** ~ Non-resident owners and others can be excluded from using the Corporation's recreational facilities (\$395 + HST).
16. **Trespass & Commercial Uses By-law** ~ Owners can be permitted to use a home office, while trespasses and other nuisance uses are prohibited (\$395 + HST).
17. **Partitions, Flooring, Alterations and Safety Devices By-law** ~ Control in-suite flooring, partitions and structures and allow board to control and maintain various in-unit safety devices and balconies (\$395 + HST).
18. **Terminate Insurance Trust Agreement By-law** ~ Avoid annual fees and establish Insurance Trust Agreement only when needed (\$395 + HST).
19. **Reciprocal Agreement By-law** ~ Amendments to Reciprocal Agreements often require a by-law [Agreement revisions not included]. (\$395 + HST)
20. **Additional Duties By-law** ~ Create new duties/powers/common expenses for the Condo (time spent + HST).
21. **Customized By-laws** ~ We will prepare any customized by-law not listed above in order to address any issue permitted by s. 21, 56, 57 or 59 of the Act (time spent + HST).
22. **Adjournment Notice Package** ~ When adjourning a by-law vote using our free Motion to Adjourn and Adjournment Procedures, we can provide a package of 8 documents to implement the adjournment (\$295 + HST)
23. **Rules Packages** ~ See **GMA's Condo Document Packages** re our comprehensive packaged sets of High Rise Rules (a 27-page menu), Townhouse Rules and Recreational or Shared Facilities Rules.
24. **Policies** ~ See **GMA's Condo Document Packages** re Human Rights, Occupational Health and Safety, Workplace Violence and Harassment and Privacy Policies.
25. **Section 98 Owner's Alteration Agreements** ~ See **GMA's Condo Document Packages** re our packages for a Multi-Purpose Agreement, a Single Purpose Agreement or an individual Owner's Changes Agreement.
26. **Declaration Amendment Package** ~ Older declarations may contain dated or inappropriate provisions or establish Community Standards (\$2,500 + time spent for customized drafting in excess of 3 hours + HST).
27. **Shared Facilities Guidelines** ~ GMA's Guidelines function like a general by-law, customized to resolve and eliminate many types of Shared Facilities disputes before they arise. (\$2,500 + time spent for customized drafting in excess of 3 hours + HST).

**NOTES:**

1. By-laws must be passed by the board, confirmed by the owners of a majority of all units and registered on title before taking effect.
- a. Pricing for standard by-law packages includes typical, non-customized processing time spent. Non-standard provisions and separate agreements, leases or arrangements are charged at our standard hourly rates. Fees are in effect as of January, 2013 and are subject to change. Your instructions to GMA are subject to the criteria set out in GMA's Condo Retainer Agreement and Terms and Conditions at [www.gmalaw.ca](http://www.gmalaw.ca).
2. GMA will meet with the board/by-law committee to discuss preliminary aspects or customized changes at our standard hourly rates.
- a. Upon request, GMA will attend or chair the owners' meeting to explain and promote the benefits of the selected by-law, address any proposed amendments and handle any required adjournment procedures at our standard hourly rates.

**PLEASE COMPLETE THE FOLLOWING PARTICULARS:**

\_\_\_\_\_ Condominium Corporation No. \_\_\_\_\_

**X** \_\_\_\_\_  
Per: Authorized Signing Officer (*Please sign*)

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

Name & Title: \_\_\_\_\_  
*Please Print*

Email: \_\_\_\_\_

Please e-mail these instructions to GMA at [irene.thrush@gmalaw.ca](mailto:irene.thrush@gmalaw.ca) or fax them to Irene Thrush at 416-363-8451.