

# Condo Board Problems



At Condo Owners Forum Society of Alberta (COF), we hear from many people who have issues with their condominium board of directors. If you are having problems with your condo board, you may not be the first or only one. You are not alone.

We have provided this guideline to consolidate the options available to you. It is a living document. We always appreciate receiving suggestions for improvements or upgrades to this guide.

As a condo owner, you have rights, but sometimes you need to be assertive to get what you want.

Don't forget: Condos are democracies. We get the (condo) government we deserve if we don't participate.

## What Types of Issues Do People Have?

Owner concerns usually fall within the following:

- The board will not share meeting minutes with me.
- The board will not share financial information with me.
- I think the board is operating in contravention of the condo legislation or condo bylaws.
- The board will not answer my emails/phone calls.

## Before You Do Anything – Remember

Put yourself in the shoes of the board members:

1. Board members are owners too.
2. Board members are volunteers, and they are probably a lot busier than they thought they would be when they agreed to sit on the board.
3. In Alberta condominiums are registered corporations. As such, they must be governed and managed in a business-like fashion. Board members may not have the necessary training or experience. Operational complexity increases with condo size. Condos are frequently multi-million-dollar businesses.
4. Even though they may be trying to do their best, they might not meet your needs and or share your values.

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5. The condo legislation is complicated. Many board members have only a general knowledge of the documents regulating condos in Alberta. They may fail to understand or choose to ignore their responsibilities that the following impose upon them:

- Condominium Property Act
- Condominium Property Act Regulation
- Condo Bylaws

## Next

Put your request in writing and explicitly request the board to discuss it at their next meeting.

Be polite. You and the board should have a goal of living as good neighbours in the same condo community. You both have a lot to lose by being disrespectful, getting personal or making unfounded or undocumented allegations. Everyone has a different appreciation of the issues.

Be very clear and limit your request to a few of your most important issues. Most people can more easily address only a few items at a time.

Some condo boards want all communication to be through their condominium manager. You may disagree, but you should respect their wishes.

Keep records of your dealings with the condo board. You might need to refer to them in future. Some examples are

- Hard copies of emails/letters
- Photographs

A responsible board should address your issues at a board meeting and provide a written response explaining their decisions. You should expect and deserve this. If the condo does not respond, we recommend sending a polite reminder 15-20 days after.

If that fails, request a copy of the minutes in which the board discussed your request and the decisions made. See the next section which explains that the board must provide you with those minutes.

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## If It is Documents You Need

The Government of Alberta, through Ministry for Service Alberta, has outlined detailed requirements for condo boards in their document [Condominium Documents For Owners, Mortgagees And Prospective Purchasers](#):

“The request for a document, or documents, must be made in writing (including an email message), and the corporation must respond to the request within ten days of receiving it. Often, the condominium manager will process the request on behalf of the corporation and board.”

Many stakeholders are unaware of this guideline, so when you request documents, consider referring to or sharing a copy or link to the government document when you make the request.

## If the Issue Remains Outstanding

The Service Alberta fact sheet [Resolving condominium disputes](#) provides excellent advice.

Your options are:

1. Special general meeting: A group can present a written request from owners who hold at least 15% of the unit factors to the board.
2. Consult with a lawyer alone or with other owners. We recommend using a lawyer/firm specializing in condominium legislation instead of a generalist. When a board receives a letter from a lawyer, they pay more attention to it than a letter from an owner.  
Legal action is not recommended unless absolutely necessary as it is adversarial, the courts are slow, it can take years, it can be costly, and there is no guarantee you will get what you want. We strongly suggest mediation or arbitration (See three below)
3. If appropriate, ask the Board to agree to mediation or arbitration on the issue. Members of the [Alternative Dispute Resolution Institute of Alberta](#) (ADRIA) may be helpful to consult.

Mediation or arbitration can achieve satisfaction for both parties. However, both parties need to agree to participate.

4. Become more active in your condominium. Run for election to the Board of Directors or become more involved in the condo through committees.
5. Accept the circumstances that you cannot influence everything in your life and move on.

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## There Are Better Ways to Address Disputes

For many years, condominium stakeholders have been asking the Government of Alberta to provide more effective ways to deal with disputes through a dispute resolution tribunal like systems that have been available in Ontario and British Columbia.

Unfortunately, as of May 2202, the Government has not made this a priority and has failed to keep promises made to stakeholders as far back as 2014.

Let your member of the provincial legislature (MLA) or candidates for election know how important this issue is to you and others.

If you are confused about who all of the actors in the Alberta condo world are, consult [Who is Who](#) in the Alberta Condo World? (on the COF website).

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