

New Brunswick Condominiums: Recommendations for Improving Governance by Implementing Educational Requirements

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Overview

- Background & Motivation
- Goals
- Research
- Analysis
- Problem
- Recommendations
- Summary

Background & Motivation

- Condominiums are on the rise in NB (54% since 2004)
- Condominiums are a large part of the future due to land availability
- NB is young in the industry (lack exp)
- Our legislation is based off Ontario/NS
- Léo-Guy LeBlanc was one of the main contributors to the current legislation (2010)
- There are problems that need resolution

Goals

- Find the biggest problem
- Analyze the problem
- Make recommendations to solve the problem



Research

- Websites

- Service New Brunswick
- Canadian Condominium Institute
- Condo-Link Services
- Canada's Public Policy Forum

- Legislation

- Condominium Property Act, SNB 2009, c C-16.05
- Condominium Act S.O 1998, Ch. 19

Research

- Ontario's Condominium Act Review by Canada's Public Policy Forum
- President's Forum (CCI) (10 Feb 2015)
 - Issues
 - Sharing Solutions

Research

- Interviews (Unbiased)
 - Judy Orr – President/Owner of Condo-Link Services
 - Phil Williams – President of the Canadian Condominium Institute NB Chapter
 - Matthew DeWitt – Chair and VP of Canadian Condominium Institute NB, Lawyer at Matthew C DeWitt Law Office
 - Andre Benoit – Director of Condominiums NB
 - Léo-Guy LeBlanc – Former Director of Condominiums NB, former Director of Surveys NB

Analysis

- Research showed many issues
 - Governance
 - Legislation
 - Insurance
 - Estoppel Certificate
 - Many more
- What is the common thread?

Problem

- Lack of education
 - Directors without any experience may have to manage large condos (scenario)
 - Legislation does not have many qualifications for directors
 - CCI, SNB, Legislation exist but is it enough?

Recommendations

- Amend legislation to include mandatory education for new directors
- Require mandatory education for professionals and others involved in condos
- Use CCI's courses as a template
- SNB work with CCI to establish a curriculum
- Use online course in combination with seminar style learning

Obstacles

- Money
 - Subsidy
 - Association membership fees
 - Government run course fees
- Pushback
 - More requirements pushes people away from condos
 - Deters developers, professionals, buyers

Future Considerations

- Surveys
- Workgroups (SNB and CCI)
- NB Condominium Act Review
- Refer to Ontario's Condominium Act Review

Summary

- Condos are a big part of future development
- Biggest issue is lack of education
- Education will solve and/or mitigate many of the current governance issues with NB condos
- Hope interested parties will act on these recommendations because they will benefit the industry (sustainable)

Acknowledgements

- Léo-Guy LeBlanc
- Phil Williams
- Judy Orr
- Matthew DeWitt
- Andre Benoit
- Matthew Hellin