

Owners' Rights and Responsibilities

In theory, the Condo Act spells out many rights for condo owners. However, in practice, owners too often do not benefit from these rights because the Condo Act is self regulated.... In other words, no one oversees its functioning and no one helps owners whose rights are abused by boards, managers, and even condo lawyers.

The Condo Act specifies the following owners' rights, among many others:

to receive an annual budget and, in Ontario, a periodic reserve fund study;

to attend an AGM... but few owners attend... and, in too many condos, owners are not allowed to ask questions;

to access most condo records... but, in too many condos, this does not happen (see the next section);

to be represented by a board of directors who is accountable to the corporation. Yet, the letters sent by owners and even directors indicate that boards are too often derelict in their duties, lack transparency, and deprive owners (or some of them--the ones they don't like!) of many of their basic rights.

More examples of owners' rights are provided throughout this website. But the writers of the letters posted in Readers Respond are very clear to the effect that owners do not actually have many rights and the rights they do have are too often not enforced. Owners are left without protection and recourse.

The second large issue is that owners do have responsibilities: Think of it--a condo is for most owners their main investment. Thus, it is also their main financial responsibility. However, condos are promoted and sold as a "hassle-free" environment and a "responsibility-free" lifestyle. Although it is true that a condo is far simpler to own and take care of than a detached home, it carries responsibilities and when these are not met, problems arise.

In other words, owners do have responsibilities and should not wait for a crisis to arise in their condo to do their duty. But, then again, it is often difficult for owners to exercise their responsibilities in condos where their basic rights are not upheld.

All in all, condo residents should be able to live in an environment that offers a quiet surrounding, dignity, a sense of purpose, and community. In these respects, much depends on residents' civility as well as on boards' and managers' ethics, leadership, transparency, and the dignified way in which they carry out the business of leading the condo.