

Ministry of Government and
Consumer Services

Ministère des Services
gouvernementaux et des
Services aux consommateurs



Office of the Minister

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February 15, 2008

/name removed – privacy protection/

Dear **/name removed – privacy protection/**

Thank you for your letter of November 4, 2007, and for your e-mail message of January 24, 2008, which were forwarded to me by my parliamentary assistant, Charles Sousa, MPP, regarding government enforcement of condominium laws in Ontario and the creation of a dispute resolution tribunal. As Minister of Government and Consumer Services, whose mandate includes for the *Condominium Act, 1998*, I am pleased to respond.

The *Condominium Act, 1998* is intended to give condominium unit owners, through their boards of directors, the tools that they need to run their condominium corporations with minimal government involvement. The act provides unit owners and their corporations with enforcement provisions to help ensure compliance with the legislation. For example, section 134 of the act states that an owner or corporation can apply to the Superior Court of Justice for an order enforcing compliance with any provision of the act, the corporation's declaration, bylaws, rules or an agreement between two or more corporations.

The Ministry of Government and Consumer Services has previously considered the creation of a dispute resolution tribunal, as you suggest in your letter. However, the ministry concluded that a tribunal would add another costly layer of bureaucracy to a process that already allows condominium owners to settle disputes through mediation and arbitration. It was unclear how dispute resolution under a tribunal would be any different from the provisions already available under the act, nor was there an indication of how much such a body would cost or who would pay for it.

As part of its current review of the *Condominium Act, 1998*, the ministry is assessing feedback from condominium unit owners and other representatives of the condominium sector, and examining condominium legislation in place across Canada. We expect to have this review completed later this year. Your proposal for a tribunal will be reconsidered as part of the current legislative review.

The ministry would welcome input from the Canadian Alliance for Condominium Owners Rights and from any representatives of the condominium sector who may have suggestions on how to improve consumer protection provisions under the act. Issues and experiences about new condominium sales, as well as feedback on the *Condominium Act, 1998*, may be sent to the ministry by sending an e-mail message to condoreview@ontario.ca.

I trust this information is helpful. Again, thank you for writing.

Kind regards,

A handwritten signature in black ink, appearing to read "Ted McMeekin". The signature is stylized with large, overlapping loops and a long horizontal stroke at the end.

Ted McMeekin
Minister of Government and Consumer Services

c: Charles Sousa, MPP
Parliamentary Assistant to the
Minister of Government and Consumer Services