

CONDOMINIUMS

DECLARATION

The allocation in percentages as to the voting rights of unit owners, share of ownership of the common elements and responsibility of unit owners to contribute to common expenses must add up to exactly 100.00%. Land Titles will not accept an allocation that adds up to any smaller amount (for example 99.99%).

AMENDING DECLARATION

All amendments to the condominium declaration must be accompanied at the time of registration by a certificate under the seal of the condominium corporation which certifies that the those persons who hold 80%, or such greater percentage as may be specified in the declaration, of the voting rights in the corporation have consented in writing to such amendment. (s. 5(7) *The Condominium Act*)

BY-LAWS AND AMENDING BY-LAWS

All by-laws and all amendments to by-laws must be accompanied at the time of registration by a certificate executed by the condominium corporation certifying that the by-law or amendment was made in accordance with the *Condominium Act*, the condominium declaration and the by-laws of the condominium corporation. (s. 12(3) *The Condominium Act*)

BARE LAND CONDOMINIUM DECLARATIONS

All declarations which create bare land condominiums or a condominiums with bare land units (where the boundaries of one or more of the units are defined by horizontal delineation without reference to any building) must contain a description of the manner of determining values in the event the property ceased to be governed by *The Condominium Act* (s. 5(1)(k) *The Condominium Act*.)

TRANSFER OF A CONDOMINIUM UNIT

Effective September 1, 2006, every transfer of land for a condominium unit will have to be accompanied by a statutory declaration from the purchaser(s) regarding the financial statements and the cooling-off period. This can come in the form of a statutory declaration or a schedule completed pursuant to *The Real Property Act*. See **Schedule XV** for a sample of a schedule form that would be acceptable to the Land Titles Office.