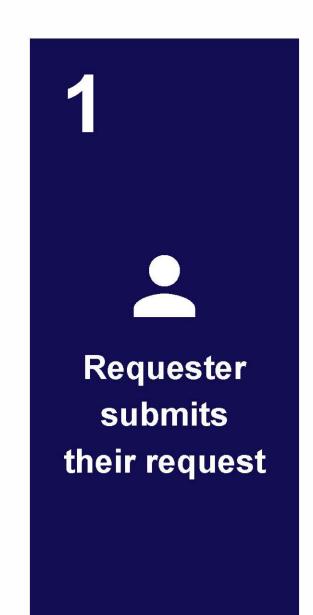
Records Request Process for Core Records

This chart provides an overview of the process that owners, purchasers and mortgagees must follow to request copies of or access to core records maintained by their condominium corporation. Core records are the condominium corporation records that are defined as a core record under section 1 (1) of Ontario Regulation 48/01 ("O. Reg 48/01"). Examples of core records include the condominium's governing documents (i.e., the declaration, by-laws and rules), the record of owners and mortgagees, the minutes from board and owners' meetings from the last twelve months, and the budget for the current fiscal year.

For more information about core and non-core records, check out the CAO's Guide to Records.



The requester fills out the mandatory Request for Records form.



The requester sends their Request for Records form to their condominium corporation's address for service, condominium manager, or condominium management services provider.

Making a Request for Records

Owners, purchasers and mortgagees (and their agents) can request copies of or access to their condominium corporation's records.

Requesters must make their request to their condominium corporation using the mandatory "Request for Records" form.

To access the "Request for Records" form, use this link.

Requesters can send their Requests for Records to their condominium corporation by:

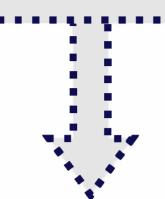
- mail;
- courier;
- placing it in the mailbox; or
- by fax or email, if the condominium corporation receives requests by fax or email.



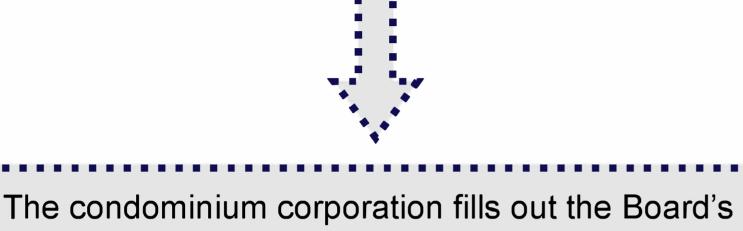


Within 30 Days

The condominium corporation reviews the request to determine which requested records the requester is entitled to access, entitled to access with redactions, and which records the requester is not entitled to access.



The condominium corporation estimates the reasonable costs they will incur to provide copies of or access to each record.



Response to Request for Records form.



Access to Records

Under the Condominium Act, 1998 (the "Condo Act"), owners, purchasers and mortgagees are entitled to review and access records except for the records covered by one or more of the exceptions found under section 55 (4) of the Condo Act.

Specifically, requesters are not entitled to records / portions of records that relate to:

- the employees of the corporation (except for employment contracts);
- actual or contemplated litigation;
- other units, or unit owners; and
- any other matters found under section 13.11 (2) of O. Reg 48/01.

Determining Costs

Condominium corporations can only charge requesters a limited fee for copies of or access to core records.

If a requester asks for a paper copy of a core record, the condominium corporation can only charge a maximum of 20¢ per page.

If a requester asks for an electronic copy of a core record but the condominium corporation does not keep that record electronically, the condominium corporation can provide a paper copy but must provide the records at no cost. That means they cannot charge any costs, even for printing and photocopying.

Responding to a Request for Records

Condominium corporations must respond to the Request within 30 days and must use the mandatory Board's Response to Request for Records form.

To access the "Board's Response to Request for Records" form, use this link.



reviews the response

Within 60 Days

The requester determines whether they are satisfied with the condominium corporation's response to their Request for Records.



The requester is satisfied.

The requester sends the condominium corporation the confirmation portion of the Board's Response form and the requested fee for the records (if any).

The requester is

not satisfied.

The requester can see the CAO website's "Issues and Solutions" webpage on Records issues.

Reviewing the Response

The requester should review the condominium corporation's response to determine:

- if the fee being charged is reasonable; and,
- if the condominium corporation's explanation for not providing a record is reasonable.

If the requester is satisfied with the response, the requester should fill out the confirmation portion of the Board's Response form and deliver it with the requested fee to the condominium corporation within 60 days.

If the requester is not satisfied with the response, or if the condominium corporation did not respond within 30 days, the requester may file an application with the Condominium Authority Tribunal (the "CAT").

For more information on resolving records disputes, use this link to see the CAO's <u>Issues and Solutions webpage on Records.</u>



corporation provides the records

Within 7 Days

The condominium corporation prepares the requested records for the requester, in the format

requested (unless unavailable), and with the required redactions.



The condominium corporation confirms their actual costs for providing copies of or access to the requested records.



The condominium corporation provides the requester with access / copies of the records, a copy of the accompanying statements, and if required, a refund.

Accompanying Statements

When providing copies of *I* access to records, condominium corporations must also provide the requester with a written document (i.e., the accompanying statements) which states:

- if the board has redacted or removed any part of the record, and if so, the
- reasons why; and the actual costs that the condominium corporation incurred to provide copies of or

access to the records. If the actual costs were less than what the requester paid, the condominium corporation

If the actual costs were more than the fee that the requester paid, then the requester

must pay the condominium corporation the least of the following three amounts:

the difference between the actual and paid costs;

must give the requester a refund of the difference.

- 10% of the total costs incurred by the corporation; or,
- 10% of the fee they paid.

Remember: If a requester asks for electronic copies of core records, then the condominium corporation cannot charge any fee to provide them, even if they must provide paper copies / the records are not kept electronically.



The requester receives access or copies of the requested records and may be asked to pay the condominium corporation for additional costs incurred, if outlined in the accompanying statements.



The requester determines if they are satisfied with the records provided by the condominium corporation.



satisfied.

The requester is

The requester is satisfied with the records they have received from the condominium

corporation.

not satisfied. The requester can see the CAO website's "Issues and Solutions"

webpage on

Records issues.

The requester is

Reviewing Records

The requester should review the records to determine if they are satisfactory, including whether:

- they contain the required information;
- they are adequate; and,
- only the required information was redacted (if any). If the requester is not satisfied with the records, or if the condominium corporation did

not provide access / copies of the records within 30 days of receiving payment, the requester may have a records dispute with the condominium corporation.

For more information on resolving records disputes, see the CAO's Issues and Solutions webpage on Records.