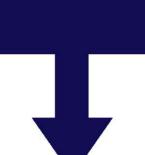
Records Request Process for Non-Core Records

This chart provides an overview of the process that owners, purchasers and mortgagees must follow to request copies of or access to non-core records maintained by their condominium corporation. Non-core records are all condominium corporation records that are not defined as a core record under section 1 (1) of Ontario Regulation 48/01 ("O. Reg 48/01"). Examples of non-core records include the condominium corporation's reserve fund study, most financial records, and the minutes of owners meetings and board meetings that were held more than a year ago.

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 of service, condominium manager, or condominium management services provider.

Making a Request for Records

Owners, purchasers and mortgagees (and their agents) can request copies and / 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:

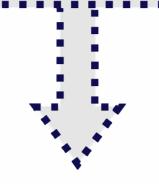
- mail;
- courier;
- placing it in the mailbox; or
- by fax or email, if the condominium corporation receives requests by fax or email.



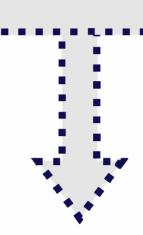
The condominium corporation responds to the request

Within 30 Days

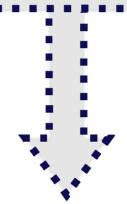
The condominium corporation reviews the request to determine which requested records the requester is entitled to access, entitled to access with redactions, and which records the requester is not entitled to access.



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



The condominium corporation fills out the Board's Response to Request for Records form.



The condominium corporation sends the Board's Response to Request for Records form to the requester's address for service or in the manner specified in the request.

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.

Responding to a Request for Records

Condominium corporations must send their response to the requester within 30 days using the mandatory "Board's Response to Request for Records" form.

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

Determining Costs

Condominium corporations can charge requesters a fee to access / for copies of the requested records. This fee must represent a reasonable estimate of the labour, photocopying / printing (20¢ per page max), and delivery costs the condominium corporation expects to incur when providing the records in their requested format.

Note: If a requester wants an electronic copy of a record but the condominium corporation does not keep that record electronically, the condominium corporation can provide a paper copy and charge the costs associated with providing the record.



Requester reviews the response

Within 60 Days

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





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 Issues and Solutions webpage on Records.



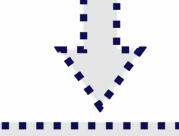
corporation provides the records

Within 30 Days

The condominium corporation prepares the requested records for the requester, in the format requested (unless unavailable), and with any 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 copies of or access to the records, a copy of the accompanying statements, and if required, a refund.

Accompanying Statements

When providing copies of / 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

If the actual costs were less than what the requester paid, the condominium corporation must give the requester a refund of the difference.

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

access to the records.

Requester receives the records

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.



The requester is satisfied with the records they have received from the condo corporation.

The requester is

satisfied.

The requester is

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

and Solutions"

Records issues.

webpage on

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 appropriate information was redacted (if any).

If the requester is not satisfied with the records, or if the condominium corporation did not provide copies of or access to 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.