

Form 13  
Condominium Act, 1998

**STATUS CERTIFICATE**  
(under subsection 76 (1) of the *Condominium Act, 1998*)

**Metropolitan Toronto Condominium Corporation No. 1205** (known as the "Corporation") certifies that as of the date of this certificate: **March 9, 2017**.

**General Information Concerning the Corporation**

1. Mailing address: 1 Balmoral Avenue, Toronto, Ontario M4V 3B9
2. Address for service: 1 Balmoral Avenue, Toronto, Ontario M4V 3B9
3. Name of property manager: **DeI Property Management Inc.**  
Address: **4800 Dufferin Street, Suite #109**  
**Toronto, Ontario M3H 5S9**  
Telephone number: **(416)-925-7202 / (416)-661-3151**
4. The directors and officers of the Corporation are:

<b>Name</b>	<b>Position</b>	<b>Address for Service</b>
Hugh Arnold	Secretary	1 Balmoral Avenue
Barbara Cifra	Director	1 Balmoral Avenue
Phil Seymour	Treasurer	1 Balmoral Avenue
Susan Shea	Director	1 Balmoral Avenue
Glen Warner	President	1 Balmoral Avenue

**Common Expenses**

5. The owner of dwelling Unit 07, Level 8, Parking No.28 & 29 Level A (building number is P1 No. 8 & 9) Locker No. P1 No. 27,28 and 29 **Lockers are exclusive use (Suite #807, 1 Balmoral Avenue, Toronto, Ontario M4V 3B9) of Metropolitan Toronto Condominium Corporation No. 1205**, registered in the Land Titles Division of the **Toronto Registry Office (No. 66)**:  
  
 **IS NOT in default in the payment of common expenses, provided that the March 1, 2017 payment clears the bank.**  
  
 IS not in DEFAULT of common element expenses.
6. A payment on account of common expenses for the unit(s) in the amount of **\$ 1,991.46 is due on the 1<sup>st</sup> day of each month**. This amount includes the amount of any increase since the date of the budget of the Corporation for the current fiscal year as described in paragraph 10 and 12.
7. The Corporation has the amount of **\$NIL** in prepaid common expenses for the unit(s).
8. There **ARE NO** amounts that the *Condominium Act, 1998* requires to be added to the common expenses payable for the unit.

## Budget

9. The budget of the Corporation for the current fiscal year is accurate. However, the Corporation cannot accurately determine, at this time, whether the budget will result in a surplus or a deficit as it has no control over any, as yet, unannounced increases in utility rates, increased labour and material costs, and any other cost factors which are beyond the normal budgetary controls of the Corporation, including any costs which might impact on the budget as a result of complying with the provisions of the new condominium legislation.
10. Since the date of the budget of the Corporation for the current fiscal year, the common expenses for the unit(s):
- HAVE not been increased,**  
 **HAVE been increased by \$** per month, due to increased maintenance and repairs and Reserve Fund contribution.
11. Since the date of the budget of the Corporation for the current fiscal year, the Board:
- HAS NOT levied any assessments against the unit(s)**  
 **HAS levied the following assessment(s) against the unit,**
- to increase the contribution to the reserve fund, or the Corporation's operating fund or for any other purpose.
12. The Corporation **HAS NO** knowledge of any circumstances that may result in an increase in the common expenses for the unit(s), except for:
- budgetary increases which will likely occur when a new budget (which has not yet been prepared or settled) in respect of the Corporation's next financial year comes into effect on or about **July 31, 2016**, and;
  - an increase in the overall common expenses of approximately 7% to 8%, reflecting the impact of the recently-announced Harmonized Sales Tax or Single Sales Tax on the Corporation's acquisition of supplies and/or services (which were previously exempt from any provincial sales tax, but will hereafter be subject to the aforementioned harmonized sales tax from and after July 1, 2010)

Without limiting the generality of the foregoing, such budgetary increases may reflect amounts required to cover deficits, if any, in the current year's budget, increased reserve fund contributions due to new reserve fund studies, plans or updates obtained by the Corporation, any costs associated with complying with the provisions of the *Condominium Act, 1998*, increased utility costs due to utility rate increases and any other usual, customary or inflationary increases, the particulars of which are not within the knowledge of the Corporation at this time.

## Reserve Fund

13. The Corporation's reserve fund amounts to **\$1,149,199 as of July 31, 2016. (audited).**
14. The most recent reserve fund study conducted by the board was a Comprehensive Reserve Fund Study (Class 1), with a site visit, of the replacement costs of the major common elements and assets of the Corporation which was commonly referred to as an analysis of the replacement costs of the major common elements and assets of the Corporation which was commonly referred to as a "Reserve Fund Study". However, "Reserve Fund Study" is a defined term under the *Condominium Act, 1998*. The most recent study is dated October 24, 2014 and was prepared by WSP Group.

15. The projected balance of the Corporation's reserve fund at July 31, 2017 will be **\$1,400,000.00**. In accordance with the budget of the Corporation for the current fiscal year, the annual contribution to be made to this Condominium's reserve fund in the current fiscal year is **\$ 403,653.00**, and the anticipated expenditures to be made from said reserve fund in the current fiscal year amount to **\$100,000**. The board anticipates that said reserve fund **WILL BE** adequate in the current fiscal year for the expected costs of major repair and replacement of the common elements and assets of the Corporation;
16. The Board **HAS SENT** to the owners a notice containing a summary of the Reserve Fund Study, a summary of the proposed plan for future funding of the reserve fund and a statement indicating the areas, if any, in which the proposed plan differs from the study. The proposed plan for future funding of the reserve fund
- HAS BEEN implemented on** August 1, 2014  
 HAS NOT BEEN implemented because...  
 NOT APPLICABLE

The proposed plan for future funding has been implemented and the total contribution each year to the Reserve Fund is being made will be set out in the Contribution Table included in the notice.

17. There **ARE NO** plans to increase the reserve fund of the Corporation under a plan proposed by the board under subsection 94 (8) of the *Condominium Act, 1998*, for the future funding of the reserve fund, pending the completion of the reserve fund study noted in section 14 of this status certificate other than those details that are in accordance with, and already outlined in the Form 15 and contribution table and implementation schedule attached.

#### **Legal Proceedings, Claims**

18. There **ARE NO** outstanding judgments against the Corporation.
19. The Corporation **IS NOT** a party to any proceeding before a court of law, an arbitrator or an administrative tribunal except that an action in the Ontario Superior of Court of Justice has been commenced against the Corporation by an alarm installation company with which the Corporation had worked. The action seeks damages for breach of contract, quantum meruit and/or unjust enrichment. The Corporation's lawyers have delivered a Statement of Defence on behalf of the Corporation and the matter will continue to be vigorously defended.
20. The Corporation **HAS NOT** received a notice of or made an application under section 109 of the *Condominium Act, 1998* to the Superior Court of Justice for an order to amend the declaration and description, where the court has not made the order.
21. The Corporation **HAS NO** outstanding claim for payment out of the guarantee fund under the *Tarion* New Home Warranty Program.
22. There **IS NOT** currently an order of the Superior Court of Justice in effect appointing an inspector under section 130 of the *Condominium Act, 1998* or an administrator under section 131 of the *Condominium Act, 1998*.
- THERE IS NO Superior Court of Justice order, appointing an inspector.**  
 THERE IS a Superior Court of Justice order, appointing an inspector, as per copies attached.

### Agreements with owners relating to changes to the common elements

23. With respect to Agreements with owners relating to changes, additions or improvements to the common elements as per clause 98(1)(b) of the *Condominium Act, 1998*

- THE UNIT IS NOT** subject to an Agreement  
 THE UNIT IS subject to one or more agreements. To the best of the Corporation's information, knowledge and belief, the agreements have been complied with by the parties.

The person requesting the Status Certificate must assume responsibility to inspect the premises and confirm that the alteration complies with the provisions contained in any such Agreement(s).

### Leasing of Units

24. With respect to leased units, during the fiscal year preceding the date of this Status Certificate and as per section 83 of the *Condominium Act, 1998*, the Corporation

- HAS received notice that no units were leased during the fiscal year preceding the date of this status certificate.  
 **HAS NOT received notice that any units within this Corporation was leased, however, the Corporation is aware that approximately 15 suites have non-resident owners.**

### Substantial changes to the common elements, assets or services

25. There **ARE NO** additions, alterations or improvements to the common elements, changes in the assets of the Corporation or changes in a service of the Corporation that are substantial and that the board has proposed but has not implemented.

### Insurance

26. The Corporation **HAS** secured all policies of insurance that are required under the *Condominium Act, 1998*.

### Phased condominium corporations

27. The Declarant:

- HAS** completed all phases; or  
 **HAS NOT** completed all phases described in the Disclosure Statement that the Corporation received from the Declarant under subsection 147(5) of the *Condominium Act, 1998*, with respect to the phase that contains the unit.  
 **NOT APPLICABLE**

28. The Declarant:

- Does not own any of the units in the phases, including units that are part of the property designed to control, facilitate or provide telecommunications to, from or within the property; or,  
 Does not own any of the units in phases, **except** for units that are part of the property designed to control, facilitate or provide telecommunications to, from or within the property.  
 The Declarant owns one or more of the units in the phases, but not units that are part of the property designed to control, facilitate or provide telecommunications to, from or within the property; or,  
 The Declarant owns one or more of the units in the phases, including one or more of the units that are part of the property designed to control, facilitate or provide telecommunications to, from or within the property; or,  
 **THIS SECTION IS NOT APPLICABLE**

**Vacant land condominium corporations**

29.  If the Corporation is a vacant land condominium corporation, all buildings, structures, facilities and services shown in Schedule H to the Declaration have been completed, installed and provided, except

OR:  **THIS SECTION IS NOT APPLICABLE**

**Leasehold condominium corporations**

30.  Name, Address and Telephone No. of Lessor \_\_\_\_\_

OR  **THIS SECTION IS NOT APPLICABLE**

31. The provisions of the leasehold interest in the property:

**ARE IN GOOD STANDING** and have not been breached

**ARE NOT IN GOOD STANDING** and have been breached in the following ways.....

**NOT APPLICABLE**

32.  The Lessor HAS/HAS NOT applied under section 173 of the Condominium Act, 1998 for an order terminating the leasehold interests in the property.

**NOT APPLICABLE**

**Attachments**

33. The following documents are attached to this status certificate and form part of it:

- |     |    |   |
|-----|----|---|
| Yes | a) | <i>a copy of the current declaration, by-laws and rules of the Corporation;</i>   |
| Yes | b) | <i>a copy of the budget of the Corporation for the current fiscal year</i>  |
| Yes | c) | <i>a list of all current agreements mentioned in sections 111, 112 or 113 of the Condominium Act, 1998 and all current agreements between the Corporation and another condominium corporation, or between the Corporation and the owner of the unit(s); and</i> |
| Yes | d) | <i>a certificate or memorandum of insurance for the Corporation's current insurance policies.</i>   |
| N/A | e) | <i>a copy of all applications made under section 109 of the Condominium Act, 1998 to amend the declaration or description for which the court has not made an order;</i>  |
| N/A | f) | <i>a copy of the schedule that the declarant has delivered to the board setting out what constitutes a standard unit, if there is no by-law of the Corporation establishing what constitutes a standard unit;</i>   |
| N/A | g) | <i>a copy of all agreements, if any, described in clause 98 (1) (b) of the Condominium Act, 1998 that bind the unit;</i>  |
| Yes | h) | <i>a copy of any notice containing a summary of the reserve fund study, a summary of the proposed plan for future funding of the reserve fund and a statement indicating the areas, if any, in which the proposed plan differs from the study;</i>              |
| N/A | i) | <i>a copy of an order appointing an inspector under section 130 of the Condominium Act, 1998 or an administrator under section 131 of the Condominium Act, 1998;</i>  |

- N/A**      j)      *a copy of the disclosure statement that the Corporation has received from the declarant under subsection 147 (5) of the Condominium Act, 1998 with respect to the phase that contains the unit unless the declarant has completed all phases described in the disclosure statement and the declarant does not own any of the units in the phases except for the part of the property designed to control, facilitate or provide telecommunications to, from or within the property;*
- N/A**      k)      *a copy of an application by the lessor for a termination order under section 173 of the Condominium Act, 1998; if the leasehold interests in the units of the Corporation have been renewed and an amendment to the declaration has not yet been registered under subsection 174 (8) of the Condominium Act, 1998, a copy of the provisions that apply upon renewal.]*

**Rights of person requesting certificate**

34. The person requesting this certificate has the following rights under subsections 76 (7) and (8) of the *Condominium Act, 1998* with respect to the agreements listed in section 33 of this status certificate, namely:
- (i) Upon receiving a written request and reasonable notice, the Corporation shall permit a person who has requested a status certificate and paid the fee charged by the Corporation for the certificate, or an agent of the person duly authorized in writing, to examine the agreements listed in paragraph 33 of this status certificate at a reasonable time and at a reasonable location; and
  - (i) The Corporation shall, within a reasonable time, provide copies of the agreements listed in section 33 of this status certificate to a person examining them, if the person so requests and pays a reasonable fee to compensate the Corporation for the labour and copying charges.

**NOTE: No Prior Inspection Of Suite Conducted**

The person requesting this certificate is hereby advised that no inspection of the unit(s) which is/are the subject **matter of this certificate (nor any portion of the exclusive use common element areas appurtenant thereto)**, has been conducted by the Corporation or its property manager, in order to determine whether or not the Corporation has any claim for damages against the owner of such unit(s), or whether any violation of the provisions of the Act, or Corporation's declaration, by-laws and/or rules exist, prior to issuing this status certificate in connection therewith. Accordingly, the person requesting this certificate shall be solely responsible for undertaking any desired or required inspection. However, the Corporation's property manager is willing to conduct any desired or required inspection, when expressly requested or instructed in writing to do so by the person requesting a status certificate, provided that an additional fee of \$100.00 per inspection plus G.S.T. is paid to the manager at the time of such request or instruction.

Dated this 9<sup>th</sup> day of March 2017.

**Metropolitan Toronto Condominium Corporation No. 1205**

Per:



Name: Glen Warner

Title: President

I have authority to bind the Corporation.

*\*Executed in pursuant to the Electronic Commerce Act (Ontario)*