

## Chat Discussion During CondoVirus Webinar Episode 7 “The Long and Windy Road” (April 29, 2020)

K.Gow: Welcome everyone

S.: Good day all

N.E.: Hello everyone

D. Plotkin: Hi all - Please remember to select "All panelists and attendees" from the drop-down above the chat, so we can all see your questions and answers!

J.J.: Hi Everyone - good to see you again!

G.: Hello everyone...hope all are well!

K.L.E.: Hello everyone, looking forward to tonight's info.

M.C.: But what if we just want to write to the panelists? :(

M.C.: Yeah, yeah, I am used to that.

J.S.: As weather is getting better many residents are requesting two things:  
1) to open the barbeques (we have quite a large patio area with 5 BBQs which are all spaced apart about 8 feet). Are we allowed to open these based on their spacing or are they considered outdoor amenities and must remain closed.  
2) There is another very large patio, with the aging demographic, can we place a few tables and chairs spaced apart to assist with seating?

CT: Its always about hair.....

M.C.: You all look great. Worry not.

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- A.P.: hi! thanks for doing these... we are considering allowing residents to use outdoor benches if they follow social distancing... should we put a sign up Use at Your own Risk as we won't be cleaning them.
- M.C.: BTW, Rod, the date is wrong.
- P.V.: time stands still with this group
- R.S.: just like Maxwell, missed it by that much
- M.C.: And we can see B. today.
- J.J.: Hooray!
- M.C.: Awesome. Is the Episode # correct?
- CT: David, everyone knows it's today
- M.C.: I age weeks every time the grandkids visit.
- S.H.: Condos should not be encouraging social gatherings. Putting out tables, benches and chairs creates opportunity for gatherings. Maybe not a good idea
- D.: In view of the C-virus crisis, has the ON Condo Act been modified to allow virtual AGMs without having a change to the Corporation's by-laws?
- K.Gow: Thanks for the Woot Debbie
- Bantman: We will be speaking about that today
- M.C.: Dennis: Yes. And I believe that is on their agenda today.
- K.Gow: on window cleaning: only "strictly essential" maintenance, repair and sanitation work is to take place. Much as I would like for everyone who is #safeathome to enjoy a nice clean window to see through, it is not essential. Fines are HUGE! I think the faster we take physical distancing seriously, the sooner we'll get back to normal.
- M.C.: Question: Windows are typically part of the security feature of commercial properties, particularly retail. Many condos have commercial units on the first floor, and many are retail units. I presume cleaning of those would qualify?
- Bantman: Michael, the financial statements would go with the AGM package. The distribution of the package depends on when the meeting is being held. We'll try to touch on this.

- N.B.: The changes made by the govt are mostly sensible. Any suggestion that these changes may be a bit more permanent?
- K.Gow: Don't look here! Virtual meetings NOW.
- F.A.: Is interior and/or exterior insect spaying an essential service?
- J.J.: Frank, insect spraying would not qualify unless the insects pose a sanitation or health risk, such as bedbugs, ticks, and so on.
- R.S.O.: Does the electronic notification include PICs?
- N.B.: How would an owner's meeting work if a majority, or even a significant minority, of owners are not internet-friendly?
- D.: Hi Katherine - if window cleaning can be done by roof and not requiring access to suites - can this be allowed under the "sanitization/cleaning" requirement, understanding that if we do NOT clean windows, this can cause a bigger concern going forward? With that said, we need access through suites to roof anchors so this is not something we would consider.
- J.J.: The electronic meetings option is in addition to other options, such as mail in, telephone, more to come I am sure
- D. Plotkin: When the government of Ontario declares, by law, the end of the public health emergency
- M.C.: Great summary, Graeme.
- F.A.: Please repeat status for owners meetings.
- G. Macpherson: Thanks Michael!
- S. R.: Is the date for the meeting the date required under section 45 or is the date you have already chosen for the meeting and are considering cancelling?
- G. Macpherson: Frank, there has been no change in the regular deadlines to hold other meetings of owners. The only deadlines to have been suspended are: AGMS that were supposed to be held during the emergency period AND AGMS that were supposed to be held during the 30-day grace period after the emergency ends.
- M.M.: Interested in platforms allowing for electronic meetings AND voting at AGM.
- K.: Are there plans to provide a "draft" or "template" for electronic by-laws?

- G. Macpherson: S R Moore, the "date" is the date prescribed by section 45. The Order in Council has had the effect of suspending 45(2) of the Condo Act.
- S.R.: Thank you Graeme.
- G. Macpherson: John, under my scenario (where the Emergency hypothetically ends on May 15) you are correct, the AGM due date is still June 30.
- G. Macpherson: This is because (in that scenario) June 30 is outside the 30-day grace period after the emergency ends.
- R.S.: What about considering those in your condo who don't have computers?
- CT: Declaring an end to the pandemic is not an automatic acceptance by people. They will have a reluctance to gather for a period of time after the emergency is over.
- L.P: lots of owners don't have access to computers for virtual meetings. what do you do then if they are being left out.
- M.M.: Raymond, I know there are platforms that allow for participation either by computer or telephone.
- H.F.: If no computer, can call in and listen on the phone. No visual, but still audio.
- C.V.: can owners not participate via zoom on their phone or tablet/iPad?
- F-A.L.: Can we devise a by-law that simply states the meeting will take place by any means that maximizes owner participation, without getting into specifics?
- G. Macpherson: CT raises a very good point! This speaks to the importance of adopting an e-voting/e-meeting bylaw, which will allow online/telephonic meetings to occur after the Emergency is declared to be over.
- S.H.: many platforms would allow participation by phone
- J.J.: In the emergency period, those without computer access will be left out, afterward though, they can gather in addition to the e-meeting and e-voting.
- O.A.: By placing notices and information online, what do you suggest? Don't we also have a duty of care to ensue that information is safe-guarded?
- G.F.: Based on Ontario's 3 phase restart plan would June 30 rather than May 15 be a more realistic date for the end of the declared emergency?

- Bantman: I.I....yes
- K.Gow: Josh -- hear it from the first "man on the moon"
- G. Macpherson: Hi Greg, you are right that May 15, 2020 is not a realistic end-date. It was chosen purely has a hypothetical scenario.
- D.: good point Rod - it would make things easier for auditors to attend AGMs during their busy seasons. Auditors should endorse this going forward :) t is a great way for them to participate.
- N.B.: Would the electronic attendance at the agm happen in addition to physical attendance, like say an auction sale where some people phone in and some are present in person?
- D. Plotkin: Re e-notices: the order in council dealt with notices to be sent with respect to meetings. No mention of, for example, PICs
- C.M.: how did you set this up prior to the order in council?
- M.C.: Jon: those without computer access are not left out. There are virtual voting systems with phone access options. Further, proxies can still be used.
- J.J.: Thanks for clarifying Michael!
- S.R.: What happens if someone votes electronically in advance of meeting and those running for director changes at the meeting. Either additional people or people dropping off.
- R. Escayola: Voting process coming up...
- J.J.: Nigel, great analogy, it is very similar to the auction process you noted.
- S.L.: Who can provide the Virtual AGM service like Josh attended? I hear service companies are very expensive.
- B.: How many units in Josh's example
- D.: that should have read "for those owners who are not in town for the AGMs, that is a great option to allow participation in other ways (than being physically present)z
- F.: Virtual AGM - If an owner owns more than one unit, was that accurately captured?
- P.V.: was attendance better/worse/the same as historical

- Juliet: Q for Josh - what were the demographics of the corporation that held the virtual AGM? Do you think that was a factor in the success?
- D.T.: How many owners/units were at this AGM? How much did this AGM cost?
- P.V. What. platform was used?
- G.R.: was Josh acting as the chair of the meeting because he as the lawyer of the condo corp or is he part of the board of the condo?
- L.P.: who was the service provider
- J.: How much did this all cost?
- J.B.: We've traditionally allowed candidates for board election to come forward at the meeting. Can we now set a cutoff in anticipation of e-advance voting?
- M.: MTCC1400 also held a virtual AGM April 14. our platform was Get Quorum and the cost was \$500.
- D.: care to comment on who was the service provider mentioned?
- K.: can Zoom, FB msg or Facetime platform also be used for small (<20 unit holders) vacant land condo owner meetings/AGM's etc.
- J.J.: MT1400 has 168 voting units listed on the CAO registry
- A. Cormier: What software was used for the virtual meeting? Zoo?
- D.S.: Were there any comments from the owners that used the telephone function for the meeting?
- D. Plotkin: I believe the platform used was CondoVoter
- M.: zoom was used
- N.M.: GetQuorum offers this service
- M.C.: roll your cursor over teh bottom of the screen.
- F.: Bottom right on laptop
- D. great point Rod. I am not a conspiracy theorist who who encourages this type of concern - but those in our communities who will raise this as a concern (although not the 'majority" they are the most "vocal", this is what can cause concerns within our communities.

S.H.: Rod

G. Macpherson: I believe Josh used CondoVoter.

J. Brackley: Is this poll function part of Zoom?

J-A. M.: I don't see the poll

I.I.: I would have always preferred to vote virtually. To me, it is business meeting rather than a social one.

S.H.: on the poll can you see who voted and how

M.M.: Would poll be a legal format for voting?

D.T.: Definitely like the voting electronically lol

F.: yes

D.A.: yes

G.R.: yes

M.C.: Yep

N.E.: we can see yet

J. Brackley.: yes

S.H.: yes. can see

J.J.: Yes

Melinda: yes

C.V.: yes we cann

gfhack99: yes

M.N.: yes

A.M.: yes

Maria: we did not show the "raised hands" for motions during our meeting, however, we announced the motions on the call and have a screen shot of the motions available for inspection. agreed that open forum for raised hands is gr3at

- K.L.E.: yes
- M.M.: Now we need to learn how to use/access the poll function.
- R.B.: It will probably be a year before we can gather
- D. Plotkin: I love how the results are close to 50-50. So typical :)
- C.M.: zoom has a lot of online training videos
- R. SO.: Were candidates able to speak to the owners?
- N.B.: We have a virtual board meeting at 7:00 tonight. What time will this meeting finish and will I have time for a quick meal?
- D.T.: Does it indicate when you lose members who log off so then you don't have quorum?
- C.M.: how did you deal with people on the phone
- P.V. where are the poll results
- Maria: we gave candidates 2 mins to speak to the audience.
- I.I.: Will we get to other types of meetings, such as owner requisitioned meetings?
- S.L.: Does Zoom let everyone see the hand raising
- D.T.: How do you deal with an owner who does not have a computer or doesn't want to attend a meeting virtually?
- S.H.: webinar usually ends at 6
- K.B.: did you limit the agenda to key topics only?
- B.: How many units in Josh's example?
- C.B.: Did the virtual meeting take longer than an in-person meeting?
- I.I.: Josh...did you get more or less participation from the last AGM.
- N.B.: Thanks Sonja, although this one may stretch on a bit - lots to talk about.
- M.M.: What happens if you have technical difficulties or some tech failure? Does that impact the meeting's validity?
- K.Gow: Thanks Josh "Buzz" Milgrom

- Karen: Our upcoming AGM attendance is pre-established @ 100%!
- J.D.: How did recording secretary get the unit owners correct?
- Brynn: Josh - are you a lawyer or a property manager?
- L.P. lawyer
- C.M.: I love virtual, but too many owners would have a problem ... you'd have to offer a test run in advance
- A.M.: I think it depends on the dynamics within your building
- A.M.: every Condominium is unique tech knowledge etc.
- I.I.: Issues going on in the building may need to be addressed well before when people will feel comfortable meeting in person. It also does not look very transparent.
- M.M.: If you delay your meeting as per the order, you could end up having to hold it in the summer, no? Not a great time.
- J. Brackley: How to handle a blend of in-person and virtual? Is it one or the other?
- M.C.: Claudia's suggestion of a test run is a good idea.
- F.: I agree with Audrey. Many in my building are not computer savvy, or have mobile phones.
- R.: reason to hold it - issues in condo, and nice nudge to move attitudes about virtual meetings forward
- L.L.: Virtual would be very difficult in our case. Our prevalent demographic is not techno-inclined.
- K.M.: What is the state of emergency should continue indefinitely?
- A.M.: Can you please address Hybrid meetings?
- R. SO.: What's the threshold for small corporation?
- R. SO.: under 100 units?
- I.I.: If you have multiple candidates for the Board, if you delay the AGM you also are not providing those candidates with the possibility of serving. Not that this is usually a big issue.

- A.M.: Hybrid meetings sorry
- M.C.: Fair point re managers' schedules, Sandy.
- D. you. technology is amazing :) i rely on the opinions of our professional auditors to advise that makes the most sense for the. My understanding is that we should start doing AGM meetings virtually, so that auditors (and executive oversight at AGMs) cannot respond to the requests for AGMs.
- I.I.: Here, here Sandy!
- D.K.: Virtual AGMs work when there are technical savvy owners and minimal contentious issues.
- M.C.: Katherine: The hybrid should be the primary format for the future.
- C.M.: was the recording offered to owners
- L.L.: I'm unclear on what happens if Directors' terms expire before an AGM is called. Help please.
- M.Cyr: You could never get your Auditors Report in time for an early AGM. We have ours in November and the Auditor has a hard time getting that report to the corporation within 4 weeks before the AGM. Good luck!
- M.C.: Lesley: Directors remain in office until replaced.
- K.Gow: Director terms expire at the Annual General Meeting
- M.C.: Unless they quit, of course.
- L.P. terms expire at the AGM. so no AGM. no expiry of term
- Maria: we had a very complex number of issues to discuss at our AGM, including elections, planning, communication
- Maria: and dress
- Maria: rehearsals were key sorry
- I.I.: It looks more transparent to go ahead, but not rush the virtual meeting. If nothing else, people now understand how vital technology is to society. You could attend the meeting from your phone.

- M.C.: Re Diretors' terms: Technically they are based on "years", not from AGM to AGM. That is simply common practice. The Act provides, notwithstanding the # of years of a term, "a director may continue to act until a successor is elected"
- K.Gow: Directors hold office until the Annual General Meeting.
- K.Gow: Justin was RIGHT!
- J.J.: Justin is RIGHT and we care! Thanks Justin.
- S.H.: Justin - are you not always right?
- M.C.: Justin has probably never received this much affirmation.
- R.: essential work is a strange thing, especially in the area of construction and maintenance, as in street cleaning - city does it, i'm not sure it's necessary for condo
- I.I.: What were the causes of the fires?
- J.J.: Make sure you have working smoke alarms, don't leave cooking unattended, and don't smoke, especially in bed!
- L.P.L.: tenants throwing their butts over !!!
- B.: baking bread
- N.B.: Thank heavens we don't have balconies in our building!
- R. Escayola: are the poll resluts taken down now?
- D. Plotkin: yes.
- J.J.: yes
- CT: Fire services is not taking a break now so with full occupancy it is even more critical to meet code.
- I.I.: How long can we stop owners from taking deliveries of items other than groceries and medical supplies?
- S.H.: too the point. we all need to do our part to flatten the curve
- S.H.: way to go Katherine!
- L.P.L.: Dr. Phil?

- R.: i always appreciate your perspective katherine... (rod too)
- J.J.: I think Katherine wants us to crush-the-curve, and she's right.
- D. These are uncertain times for us all - in general, there are "mostly" no right or wrong answers. We all are trying to do the best for our Corporations. If we are guided by "an abundance of caution" at the buildings we represent, i strongly believe we are all looking out for our owners and residents'
- M.C.: Sorry for having to cut out early. A great program, as usual. Thanks all.
- K. & S.: great points on caring and common sense management principles.
- N.B.: Excellent webinar once again guys. Thanks to everyone for sharing their expertise.
- CT: Thank you!!!!
- L.P.L.: Thanks everyone! Again, great info!
- Melinda: Thank you all!
- C.M.: Thank you! Really appreciate all of you :)
- N.E.: great information
- Gina: Thank you, everyone! Good night, keep well!
- D.S.: Great presentation - thank you!
- R.S.: thanks everyone till next week
- P.R.S.: Thank you Rod and all panelists.
- Pat: cheers, good stuff
- J.J.:: Another great webinar everyone - thank you!
- F.: Excellent information. Unfortunately residents in my building are not comply with physical distancing in common areas.
- Shawn: Thank you all see you next week
- K.Gow: Covid-justonefriend
- D.F.: Great information. Thank you Panelists

L.L.: Thank you ever so much.

Bantman: thank you everyone. appreciate your participation and questions

Monica: Thanks everyone. Stay well.

K.L.E.: I really appreciated all the information. Many thanks.

Charles: Thank you all!! Great INFO!

I.I.: Enforce all rules related to health and safety.

M.N.: Thanks so much!

Domain: Thanks everyone!

J.: Thanks for the great session as always. Looking forward to new weeks webinar. Hi Josh

I.I.: Well done panelists!

S.L.: Gowlings will you ever open an office in Toronto. You are amazing and thanks for these webinars.

P.T.: Great job once again. I look forward for next one. Stay safe.

D.K.: Great leadership Rod

L.O.: I've learned a lot from all the Webinars. Thank you !!

R. SO.: Thanks everyone! The insight from Josh's recent experience was very helpful!

C.V.: Great session - thank you for all of the information ...stay safe and healthy

J.B.: Thanks again!

D. Plotkin: Suzanne, Gowling has an office in Toronto! And us Ottawa folk regularly act in Toronto

P.A.: Very informative, thank you everyone.

R.: thanks, as always

D.A.: Thank you

V.K.: Thanks Rod