



CONDO LAW
FOR ALBERTANS

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Tips for working with and hiring a condo manager

Many condominium corporations will hire a condo manager (or condo management company) to provide condominium management services. Under the *Real Estate Act*, condominium management service means exercising the power of or performing the duty of a condominium corporation on its behalf. For example, this includes:

- Collecting, holding or disbursing (or attempting to collect, hold, disburse) contributions levied by the condominium corporation or other amounts levied by or due to the corporation under the *Condominium Property Act*
- Enforcing condominium bylaws or rules
- Negotiating or entering into contracts on behalf of the condominium corporation
- Supervising employees or contractors hired or engaged by the condominium corporation

Condominium management services does not include any activity excluded by the *Condominium Property Act*, the *Real Estate Act* or regulations under either Act.



TIP

Condominium management is a separate activity and industry from property management. When hiring a professional condominium manager, make sure to check that the brokerages, companies and individuals are licenced in condominium management. For more information, go to RECA's website: www.reca.ca

Here are some tips if you are hiring and working with a condo manager to provide condominium management services:

Do your research

If your board is looking to hire a condo manager, do your research first! You may want to check your board's minutes to see if there are any discussions about or issues with hiring a condo manager. You should ask the condo manager you would like to hire for current board references. As part of the hiring process, the board should also contact these references and document their feedback.

Some things that the board should consider in hiring a condo manager are:

- **What are the manager's educational qualifications and are they licenced in condominium management?**
Starting on December 1, 2021, all brokerages, companies and individuals providing condo management services must be licensed. The Real Estate Council of Alberta (RECA) regulates condominium managers and sets education and licencing requirements for condominium management. For more information on what this means for condo boards and owners, visit RECA's website:
www.reca.ca/licensees-learners/industry-101/four-industries/condo-management/
- **Does the manager provide services tailored to your condo and how?**
- **What level of authority does the manager want to have?**
Avoid any management agreement that transfers decision-making authority from the board to the manager or management company.
- **How does the manager communicate with the board and owners?**
Do they have well defined processes and procedures to facilitate timely and regular communication with the board and the owners?
- **How reachable or readily available are they?**
With technology today, the board should always be able to contact the manager or their representatives.
- **Does the manager have reliable contractors that can respond to service calls in a timely and skillful manner?**
- **Are the management services clearly outlined in the management agreement?**
Is there room for flexibility? Is there a termination clause and what does it contain?

*Some tips above adapted from Ask Maria: By Maria Bartolotti,
newconceptmanagement.com/blog, September 2013*

Set expectations and clarify tasks

Agreements with condo managers and other service providers may bind future boards. You must be aware of the contractual terms. When negotiating a management agreement, the board should clarify the range of tasks beforehand, document all terms in writing, and seek legal advice.

Communicate

When working with your condo manager, there should be frequent communication between the board and the manager. That way, matters are dealt with promptly and professionally. A board may want to invite their condo manager to attend regular board meetings and ensure that the company can reach them via phone or e-mail at all times. The condo corporation should also respond promptly to concerns raised by its condo manager.



Be knowledgeable

When dealing with your condo manager, it helps to be knowledgeable about the condominium. For example, you should be updated on the condo board's meeting minutes and be able to describe any current issues that your condo corporation is facing. The information you provide can help your condo manager do their job.

Seek professional assistance

Your condo manager is not your financial advisor, engineer, or lawyer – nor should they be. You should always refer to a professional when seeking specialized advice on financial, structural/ engineering, and legal matters.

Comply with the *Condominium Property Act (CPA)*

A board will often delegate tasks to their condo manager, relying on their condo management experience to make informed decisions. Although the board expects the condo manager to comply with the *CPA*, the board is ultimately responsible for complying with the *CPA* in the decisions it makes and the actions it takes in running the condominium corporation.

