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Real Property & Condominium Law

The lawyers and staff at Clifton Kok LLP provide experienced, practical and detailed legal assistance in relation to all real property transactions, including acquisitions (purchases), dispositions (sales) and financing, as well as in all matters relating to land use and development. We also possess extensive experience in regard to condominiums of all types (Standard, Phased, Common Elements, Vacant Land and Leasehold), working with developers from project conception and approval through to registration, unit sales and turnover, and providing guidance and support to condominium corporation directors, managers and unit owners in respect of all legal issues arising under the Condominium Act, 1998, including amalgamations, the drafting, interpretation and enforcement of governing documents, and the processing and enforcement of condominium liens.

Corporate / Commercial Law

Clifton Kok LLP provides comprehensive corporate and commercial legal services for businesses of all types and sizes, meeting their diverse needs including business creation, restructuring, mergers and acquisitions, corporate governance and shareholders' rights, agreements, complex transactions and other matters. We also assist not-for-profit corporations with incorporation and governance matters and have experience incorporating charitable corporations.

Estates Law

Clifton Kok LLP provides practical and effective legal services in relation to a broad range of Estates Law areas. This includes the preparation of wills, codicils and powers of attorney, as well as assisting with related and various estate planning and administration issues.

Advocacy, Litigation Support & Dispute Resolution

The legal team at Clifton Kok LLP provide a comprehensive assistance in a restricted range of legal proceedings and litigation. Depending on the case, a licensed paralegal or lawyer will assist in all matters before the Small Claims Court of Ontario, with Provincial Offense Act matters before the Ontario Court of Justice, and in a variety of administrative tribunal hearings, including the Landlord and Tenant Board and the Condominium Authority Tribunal (CAT). Major claims and other matters may be referred to counsel with more general or specialized litigation practices. Contact our lead licensed paralegal, Holly Bangay, for further information. Firm co-founder, Michael Clifton, can also serve as a mediator or arbitrator in disputes relating to condominium law that are currently outside of the jurisdiction of the CAT.

CK Legal's Condo Guru commentaries are provided for general information only relating to Ontario condominium law. They are not intended as legal advice. Anyone wanting or requiring legal advice or assistance relating to any aspect of condominium law should contact competent and qualified legal counsel, including the lawyers at CK LLP. Find us at www.cklegal.ca.

Election Time Access

Posted: April 23, 2018

Elections Ontario's recent notice about "New Canvasser Rules" regarding access to multi-unit residential buildings requires some clarification.

Like many people (especially those living in Toronto and similar municipalities), Elections Ontario doesn't appear to pay attention to the fact that there are many different types of condominium. Not all of them are "multi-residence buildings", as described here. So, if the statute referenced here was the only source of direction regarding the right of political candidates and canvassers to approach homes in condominiums, we might end up in some arguments about whether there is such a right in a condominium with town-, semi- or fully detached homes, rather than an apartment style complex.

Never fear, though: Even without these "new rules" (that came into force on July 1, 2017, as amendments to the *Elections Act* made under the *Election Statute Law Amendment Act, 2016*, S.O. 2016, c. 33 - check out its history and original text here), political canvassers have the right to knock on your door, regardless of whatever style or type of condominium you live in. This is because section 118 of the *Condominium Act, 1998* already states,

No corporation or employee or agent of a corporation shall restrict reasonable access to the property by candidates, or their authorized representatives, for election to the House of Commons, the Legislative Assembly or an office in a municipal government or school board if access is necessary for the purpose of canvassing or distributing election material.

What's lacking in the *Condominium Act, 1998*, though, is any explanation of what constitutes "reasonable access". For that, we can turn back to the *Elections Act*, section 89.1, where we learn that, in regard to multi-residence buildings, the following rules apply to political canvassing:

- The access must be between 9:00 a.m. and 9:00 p.m., between Monday and Friday, or between 9:00 a.m. and 6:00 p.m. on a Saturday or Sunday.
- At least one person seeking access must be at least 18 years of age.
- Every person seeking access must, on request, provide valid identification documents.
- Every person seeking access who is not a candidate must, on request, provide valid written authorization from the candidate.

In whatever condominium you live in (whether or not it qualifies as a "multi-residence building"), these would be reasonable rules to impose on political canvassers.