



Viewpoint

5 Years of Freaking Awful Forms

November 1, 2022, marked a dubious milestone for Ontario condominium corporations, their unit owners, directors and the professionals who manage, counsel and service them.



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It was the fifth anniversary of the freaking awful condo forms becoming mandatory in Ontario. Since then, condo managers and lawyers have endured the displeasure of handling those forms almost every working day.

In February 2018, I shared my thoughts on the first three months of using the forms. It wasn't pretty. Unfortunately, almost all those comments remain perfectly applicable. There has been little or no change since then, and most of us know several ways each form is confusing or doesn't address common scenarios.

And the long list of ways in which the forms are inadequate is still growing.

Worse, all the effort and frustration in preparing these lousy forms is wasted because the product is often ignored by the people they were made for – the owners – who usually cannot figure them out or don't care.

So to me, this fifth anniversary represents:

- Five years that most people still misunderstand how to fill out parts of the forms correctly or do not know what the forms mean.
- Five years of managers and lawyers being unable to easily explain how the forms should be filled out correctly, as there's no easy pinpointing.
- Five years of users unable to work with (or even view) these forms on a mobile device or without crashing desktop software.

- Five years of owners losing their voting rights by incorrectly completing their paper proxies for meetings.
- Five years of added costs of serving certificates and documents that many owners do not want and do not understand.
- Five years of many new types of legal disputes arising over things that used to be simple or uncontentious.
- Five years during which the Condo Authority of Ontario has abjectly failed to secure any appreciable improvement to the forms, either by asking the government to make changes or making its own changes since taking carriage of the forms in January 2020.

And here's another remarkable fact: The COVID-19 pandemic, which drastically changed many aspects of our entire civilization (including how condo corporations operate!), made absolutely no dent in the condo forms. If even Covid brings no changes to these forms, then we are truly forsaken.

Let us hope for improvements before the next five years pass us by.

Update! In response to a version of this article posted on LinkedIn, CAO said: "The forms are a priority for the CAO this year, and we will be working with the Ministry of Public and Business Service Delivery to make them more user-friendly." Time to dust off our lists and share the feedback. Be sure to share your comments with the CMRAO. ■

Chris Jaglowitz is the principal of Common Ground Condo Law and has cursed about the condo forms since November 2017.
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