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Senior Property Manager

Silk Glove or Iron Gauntlet

The classic comparison of a silk glove vs. an iron gauntlet regarding communication techniques is paramount in condominium management communication.

Most people are generous and patient. However, out of the hundreds of owners and tenants that property managers deal with, there may be a few who will use every potential matter to criticize. In our profession we interact with many diverse people, from lawyers to auditors, engineers, and other top professionals, to residents/owners who may still be learning basic communication skills in English. It is a challenging task, and I cannot criticize those less fluent in English since we, regardless

of our education, are illiterate in thousands of other languages. This can become an issue when people may be new to living near each other.

We deal with a broad spectrum of people daily, and as we study and learn this very daunting trade, we often rise to a higher level of literate communication. Condominium managers cannot simply remain street-level intellects while quickly reading contracts, financials, and legislation. This can harm our communications with those less familiar with the English language or condominium issues. We do not want to condescend, and this often involves board directors; however, we must communicate, and often in writing.

A Friendly Reminder

Part of keeping it simple is communicating gently but functionally. Not only is this the best way to speak, but as we all know, any issue can potentially end up in court. Having had the experience of witnessing several court cases, I can attest that the judges appreciate and approve of constructive discipline on homeowners.

So how do we enforce Rules, Bylaws, and the *Condominium Act* while maintaining a gentle hand and not falling victim to writing a legal and officious letter when senior Ms. McGillicuty improperly recycles?

What I have found most helpful is practical, progressive discipline. I





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begin with a system I call the “friendly reminder.” I have deliberately crafted forms that look as different from a legal letter as possible. The reminders are 8.5” x 5.5” rather than an 8.5” x 11” paper. They are in assorted colours and have appropriate graphics. The text always starts with, “Did you forget...? to recycle; no construction noise on Sundays; dogs must be walked on leash... etc.”

It is not only our job but in our own best interest to de-escalate all potential conflicts because in property management, as in life, the best choice is always to avoid conflict.

Depending on our relationship with an owner or awareness of them, we may start the communication with a phone call. Most people will not likely become upset over a friendly word of advice. Others take everything as criticism and are challenged by any suggestion. It is a delicate balance.

We probably spend 80% of our efforts dealing with “people issues.” My humanities degree helps more than all my technical training combined in this social context. Understanding how boilers function is secondary to knowing how to interpret between the boiler mechanic and the resident with cold floors. Technical learning teaches us what to say; people skills teach us how to say it.

A Friendly Letter

If or when the friendly reminder does not obtain the desired result, I

like to follow up with a “friendly letter.” Keep it social, not legal. Let the person know that you are on their side. Empathize sincerely; No threats of legal action or imposing penalties. Both the friendly reminder and the letter need time to work. Regretfully, if the problem is acute and immediate action is required, we would have to use the telephone or a more urgent letter. And please, do not apologize! You did not make the pipe leak or whatever the case may be. Saying it is “regrettable” is neutral, infers empathy, and suggests neither guilt nor blame.

The Last Chance

When the situation requires it, you can follow up on the friendly letter with a more neutral letter, beginning with “Regretfully, your dog still barks while you are at work...” etc. At this point, it is good to suggest that the situation is best resolved quickly for the sake of the owner and the corporation. Let the owner know you do not want conflict and love dogs, but if an amicable solution cannot be reached, you will have no choice but to engage the corporation’s lawyer. Charging the responsible unit owner for the legal letter is usually appropriate. There are different times and situations for this, but your lawyer can best advise you. Inform your board of the situation, as they may be exposed to chatter in the elevator or directly engaged by the culpable owner.

Contacting a Lawyer

I recommend engaging the lawyers only if and when the third communication fails. A legal letter is usually not friendly. Lawyers follow styles required by law, where sounding severe may be inescapable.

Once the matter has gone to the lawyer, it is no longer a minor issue. Failure to respond to the lawyer will usually result in legal enforcement, such as the CAT or the court system.

The philosophy behind my enforcement process is to correct errant behaviour, not to punish or victimize anyone. Many people just do not think of the consequences of their actions.

Should it become necessary to go to the CAT or the courts, the judge or arbitrator will likely recognize that management (on behalf of the corporation) tried to correct the problem in a friendly, non-threatening manner.

When dealing with residents and owners in a condominium building, a well-planned and gentle tap with a silk-gloved hand can achieve better results than an awkward punch with an iron gauntlet. ■

William (Bill) Colucci, RCM, OLCM, began his career in commercial property management in 1984. He has been in the condominium management industry since 2001 and is a member of ACMO and CCI. Bill also holds a BES Certificate from Seneca College and a Heating Technician Certificate from George Brown College.

The image features a stylized illustration of a city skyline with various buildings, trees, and a Canadian flag. Overlaid on the left side of the illustration is the text "CONDO LAWYERS" in large, bold, white letters with a black outline. In the bottom right corner, the "SV LAW" logo is displayed in green and yellow, with the tagline "EXCELLENCE IN OUR COMMUNITY" below it. At the bottom of the image, a dark grey banner contains the following text: "Lawyers: Robert Mullin • Chris Mendes • Danielle Marks • Eric Kerson • James Cockburn • Kevin Thompson & Fiona Burnett (Student at Law)" and "Clerks: Terra Telford • Bailey Langford • Sarah Conway • Dani Mrkovic • Rebecca Klingspohn • Shelley Felhaber • Gloria Cooney • Mariann Jagnjic • Marissa Drake". To the right of this banner, the text "SmithValeriotte Law Firm LLP" and the website "www.svlaw.ca" are listed, along with the email "rmullin@svlaw.ca".

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