

CONDO OWNERS ASSOCIATIONS

info@COAontario.com COAontario.com



May 7, 2013

Honourable Premier Kathleen Wynne
Room 281
111 Wellesley Street West
Toronto, Ontario M7A 1A1

Honourable Minister Tracy MacCharles
Minister of Consumer Services
Government of Ontario
900 Bay Street 6th floor Mowat Block,
Toronto, Ontario M7A 1L2

Dear Hon. Premier Kathleen Wynne and Hon. Minister Tracy MacCharles

The Condo Owners Association would like to share a concern with the Ministry of Consumer Services relating to the sharing of information and the Privacy Act.

The majority of Agreement of Purchase and Sale contracts relating to the buying and selling of condominiums will include a condition relating to the review of the status certificate. In the past, the status certificate had to be ordered through the relating Condo Corporation.

Today this service is available online through a website known as Conduit (www.statuscertificate.com). The company is called Shift; inception 2008 (www.shiftsuite.ca) and it is a division of D Tech Consulting; Darryl Deen, President CEO – 366 Adelaide St. E. Suite 345, Toronto, Ontario.

Shift has stated the following notes on their website:

- “Conduit has changed the way status certificates are ordered and delivered, from days and hours to mere seconds”.
- “Have the Corporation transferred directly to conduit and you are ready to go”

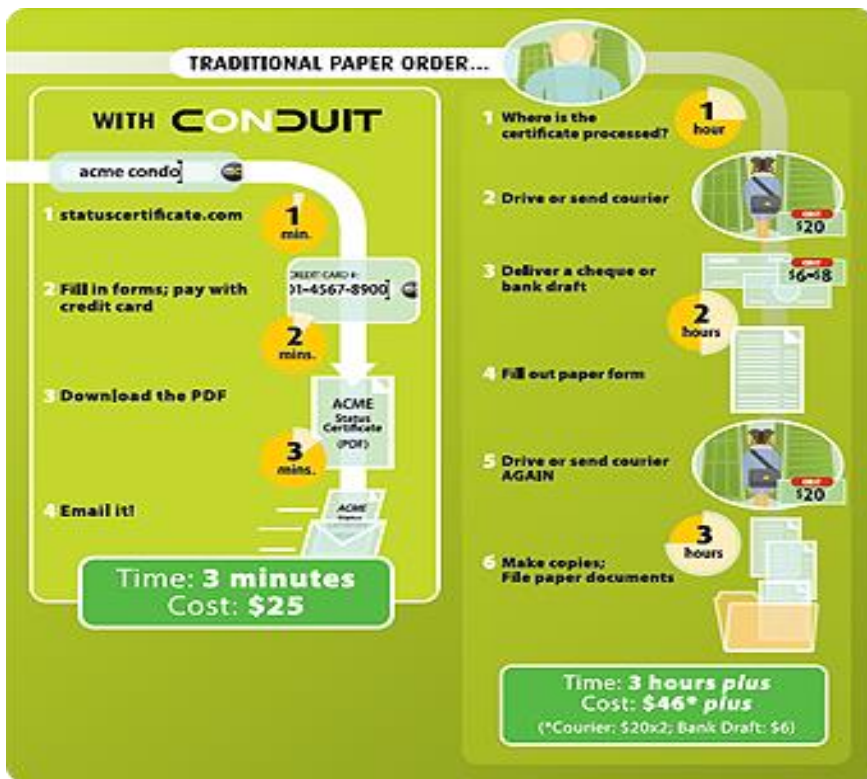
The concern that we have is the lack of proper licensing and regulation. The Association of Condominium Managers of Ontario (also known as ACMO) supports and endorses this company and their membership of unlicensed Property Management companies and Property Managers are uploading confidential Condo Corporation status certificate and related documents, fire insurance policy's without the written and approved consent of the Board of Directors of the Condominium Corporations.

... page 2

Conduit prides themselves in reporting that they fulfill status certificate orders for over 300,000 units and 2000 corporations in Ontario – over 80% of ACMO registered Management Companies.

They state they are integrated with Teranet Geowarehouse however there are no restrictions for anyone to go online and order a status certificate. The Condo Act Review is in the 2nd stage and numerous concerns of fraud and unscrupulous behaviours in the condominium sector has already been identified. Government licensing is on the table of considerations although ACMO is doing their absolute best to promote their campaign to be the licensing body even though it is a direct conflict of interest and creates continued lack of consumer protection and hardships for Condo Owners.

While the service is convenient and certainly time conscientious; we question why the Provincial Privacy Act would not prevent this type of unauthorized third party distribution when there is so much fraudulent behaviours in the open marketplace.



ACMO and their membership of Property Management Firms have taken this initiative without any degree of consideration that they are distributing confidential information to a third party provider and not under the authorization of the Condominium Corporation.

Furthermore, the Property Management firm is receiving \$100.00 to provide Status Certificates providing additional revenue over and above their Property Management contracts.

If the Property Management Firm is under contract with the Condo Corporation for services why would the \$100 not be payable to Condominium Corporations since it is

their Status Certificate and accompany documentation.

Property Management companies also charge \$100 in the event that the status certificate and accompanying documentation is ordered through the Condominium Corporation.

The direct involvement between ACMO, their membership and Conduit also has a closed door on the open market because they are using their memberships contractual relationships to bypass any type of fair play marketing.

... Page 3

The Competition Bureau ensures that Canadian businesses and consumers prosper in a competitive and innovative marketplace. Anti-competitive activities such as the above should be investigated by the Bureau because of the direct relationship with information sharing between Property Management companies and Conduit/Shift/D Tech consulting.

The service contract for property management services does not given these companies an open door to do whatever they like with condo corporations.

This would be categorized under "abuse of dominant position". Similar style portals offering other types of information are available to licensed trades in the marketplace ie. Realtors® who are licensed and regulated under the Real Estate Council of Ontario and they are not open ended websites for the entire general public. We also believe the Canadian Condominium Institute are promoting the same behavior.

Thank you for your kind assistance in this matter. I would appreciate your prompt investigation in all aspects of these outlined concerns.

Regards

CONDO OWNERS ASSOCIATION

A handwritten signature in black ink, appearing to read "Linda Pinizzotto". The signature is written in a cursive, flowing style.

Linda Pinizzotto
Founder President CEO