

**Form 13**  
*Condominium Act, 1998*

**STATUS CERTIFICATE**  
(under subsection 76 (1) of the *Condominium Act, 1998*)

**Toronto Standard Condominium Corporation No. 1738** (known as the "Corporation") certifies that as of the date of this certificate: **September 1, 2017**

**General Information Concerning the Corporation**

1. Mailing address: **23 Hollywood Avenue, Toronto, Ontario M2N 7L8**
2. Address for service: **23 Hollywood Avenue, Toronto, Ontario M2N 7L8**
3. Name of property manager: **Del Property Management Inc.**  
Address: **4800 Dufferin Street, Suite #109  
Toronto, Ontario M3H 5S9**  
Telephone number: **(416)-512-9740 / (416)-661-3151**
4. The directors and officers of the Corporation are:

Name	Position	Address for Service
<b>Dmitry Zolotnitsky</b>	<b>President</b>	<b>c/o mgmt office</b>
<b>Peter Chubb</b>	<b>Secretary</b>	<b>c/o mgmt office</b>
<b>Charles Park</b>	<b>Treasurer</b>	<b>c/o mgmt office</b>
<b>Kevin Nyman</b>	<b>Director</b>	<b>c/o mgmt office</b>
<b>Mark Carey</b>	<b>Director</b>	<b>c/o mgmt office</b>

**Common Expenses**

5. The owner of dwelling **Unit 9, Level 31, (Being Suite 3610), Parking Unit 126 Level C, Locker Unit 184, Level C (23 Hollywood Avenue, Toronto, Ontario M2N 7L8)** of **Toronto Standard Condominium Corporation No. 1738**, registered in the Land Titles Division of the **Toronto Registry Office (No. 66)**:  
 **IS NOT** in default in the payment of common expenses, provided that the **September 1<sup>st</sup>, 2017** payment clears the bank.  
 **IS IN DEFAULT** of common element expenses in the amount of \$\_\_\_\_\_.
6. A payment on account of common expenses for the unit(s) in the amount of **801.63** is due on **September 1<sup>st</sup>, 2017** for the period **September** to and including the last day of **September 30<sup>st</sup>, 2017**. This amount includes the amount of any increase since the date of the budget of the Corporation for the current fiscal year as described in paragraph 10 and 12.
7. The Corporation has the amount of **NIL** in prepaid common expenses for the unit(s).
8. There **ARE NO** amounts that the *Condominium Act, 1998* requires to be added to the common expenses payable for the unit.

**Budget**

9. The budget of the Corporation for the current fiscal year is accurate. However, the Corporation cannot accurately determine, at this time, whether the budget will result in a surplus or a deficit as it has no control over any, as yet, unannounced increases in utility rates, increased labour and material costs, and any other cost factors which are beyond the normal budgetary controls of the Corporation, including any costs which might impact on the budget as a result of complying with the provisions of the new condominium legislation.

10. Since the date of the budget of the Corporation for the current fiscal year, the common expenses for the unit(s):

HAS NOT BEEN INCREASED  
 HAS BEEN INCREASED

11. Since the date of the budget of the Corporation for the current fiscal year, the Board:

HAS NOT levied any assessments against the unit(s)  
 HAS levied the following assessment(s) against the unit,

to increase the contribution to the reserve fund, or the Corporation's operating fund or for any other purpose.

12. The Corporation **HAS NO** knowledge of any circumstances that may result in an increase in the common expenses for the unit(s), except for: **5.97%**

The Corporation has recently become aware that the condominium building was constructed using kitec piping in the owner's suites to connect to the building's hot and cold water risers. Kitec was widely used in condos and homes in Canada and the US between 1995 and 2007 as a corrosion-resistant alternative to copper. However, it was recalled sometime in or around 2007. Generally, the risk of pipe failure increases over time. As the kitec piping services the individual units only, it is the responsibility of the suite owners to maintain and repair, and is not a Corporation expense. The Corporation's engineer has delivered a report to the Board of Directors recommending that the kitec piping within each individual unit be replaced to avoid future damage to the common elements and other units. The Board of Directors has reviewed this matter and has now decided to proceed with a comprehensive replacement project for which each individual unit owner would be responsible for the cost.

The Corporation is in receipt of the **full installment payment** from the current owner for the kitec replacement work; six suites will be refunded; two suites have declined the work; however, this work has been completed.

Budgetary increases which will likely occur when a new budget in respect of the Corporation's next financial year comes into effect on or about **December 31, 2017**. Without limiting the generality of the foregoing, such budgetary increases may reflect amounts required to cover deficits, if any, in the current year's budget, increased reserve fund contributions due to new reserve fund studies, plans or updates obtained by the Corporation, any costs associated with complying with the provisions of the *Condominium Act, 1998*, increased utility costs due to utility rate increases and any other usual, customary or inflationary increases, the particulars of which are not within the knowledge of the Corporation at this time.

#### Reserve Fund

- 13A. The Corporation's reserve fund amounts to **\$2,734,315 as of December 31, 2015 (audited)**. The Reserve Fund, as at September 30<sup>th</sup>, 2016, amounts to **\$3,199,606.26 (unaudited)**.
- 13B. The Recreation Centre is a shared facility funded jointly by TSCC 1738 & TSCC 1974 on a 50%/50% basis. The Shared Facilities **Audited** Reserve Fund amounts to **\$185,496.50** as of October 31, 2015.
- 14A. The most recent Reserve Fund Study conducted by the Board was a Class 2 Study, dated **December 7<sup>th</sup>, 2015** and was prepared by **Construction Control Inc.** The next Reserve Fund Study will be conducted before December 2018.
- 14B. The most recent Shared Facilities Reserve Fund Study conducted by the Board was a Class 3 Study dated **November 29, 2015** and was prepared by **Construction Control Inc.** The next Shared Facilities Reserve Fund Study will be conducted before January 2018.
- 15A. The balance of the Corporation's reserve fund at the beginning of the current fiscal year was **\$3,403,649.82**. In accordance with the budget of the Corporation for the current fiscal year, the annual contribution to be made to this Condominium's reserve fund in the current fiscal year is **\$630,666**, and the anticipated expenditures to be made from said reserve fund in the current fiscal year amount to **\$187,745**. The board anticipates that said reserve fund **WILL BE** adequate in the current fiscal year for the expected

costs of major repair and replacement of the common elements and assets of the Corporation;

15B. The Recreation Centre is a shared facility funded jointly by TSCC 1738 & TSCC 1974 on a 50%/50% basis. The balance of the Reserve Fund for the Shared Facilities at the beginning of the current fiscal year was **\$320,472**. In accordance with the budget of the Shared Facilities for the current fiscal year, the annual contribution to be made to the Reserve Fund is **\$103,489** of which **\$51,744** is attributable to TSCC 1738. The anticipated expenditures to be made from the Reserve Fund for the current fiscal year may amount to **\$8,000**. The board anticipates that said reserve fund **WILL BE** adequate in the current fiscal year for the expected costs of major repair and replacement of the common elements and assets of the Corporation;

16A. The Board **HAS SENT** to the owners a notice containing a summary of the Reserve Fund Study, a summary of the proposed plan for future funding of the reserve fund and a statement indicating the areas, if any, in which the proposed plan differs from the study. The proposed plan for future funding of the reserve fund

- WAS implemented on January 1, 2017.**  
 HAS NOT BEEN implemented because...  
 NOT APPLICABLE

The proposed plan for future funding has been implemented and the total contribution each year to the Reserve Fund is being made will be set out in the Contribution Table included in the notice.

16B. The Board has sent to the owners a notice dated January 5, 2010. Containing a summary of the Reserve Fund Study for the Shared Facilities funded jointly by TSCC 1738 & TSCC 1974, a summary of the proposed plan for the future funding of the reserve fund and a statement indicating the areas, if any, in which the proposed plan differs from the study. The proposed plan for future funding of the reserve fund has been implemented.

17. There **ARE NO** plans to increase the reserve fund of the Corporation under a plan proposed by the board under subsection 94 (8) of the *Condominium Act, 1998*, for the future funding of the reserve fund, pending the completion of the reserve fund study noted in section 14 of this status certificate other than those details that are in accordance with, and already outlined in the Form 15 and contribution table and implementation schedule attached.

#### Legal Proceedings, Claims

18. There **ARE NO** outstanding judgments against the Corporation.
19. The Corporation **IS NOT** a party to any proceeding before a court of law, an arbitrator or an administrative tribunal.
20. The Corporation **HAS NOT** received a notice of or made an application under section 109 of the *Condominium Act, 1998* to the Superior Court of Justice for an order to amend the declaration and description, where the court has not made the order.
21. The Corporation **HAS NO** outstanding claim for payment out of the guarantee fund under the *Tarion* New Home Warranty Program.
22. There **IS NOT** currently an order of the Superior Court of Justice in effect appointing an inspector under section 130 of the *Condominium Act, 1998* or an administrator under section 131 of the *Condominium Act, 1998*.

- THERE IS NO** Superior Court of Justice order, appointing an inspector.  
 **THERE IS** a Superior Court of Justice order, appointing an inspector, as per copies attached.

#### Agreements with owners relating to changes to the common elements

23. With respect to Agreements with owners relating to changes, additions or improvements to the common elements as per clause 98(1)(b) of the *Condominium Act, 1998*

- THE UNIT IS NOT subject to an Agreement  
 THE UNIT IS subject to one or more agreements. To the best of the Corporation's information, knowledge and belief, the agreements have been complied with by the parties.

The person requesting the Status Certificate must assume responsibility to inspect the premises and confirm that the alteration complies with the provisions contained in any such Agreement(s).

#### Leasing of Units

24. With respect to leased units, during the fiscal year preceding the date of this Status Certificate and as per section 83 of the Condominium Act, 1998, the Corporation

HAS received notice that 96 units were leased during the fiscal year preceding the date of this status certificate.

HAS NOT received notice that any units within this Corporation was leased

#### Substantial changes to the common elements, assets or services

25. There ARE NO additions, alterations or improvements to the common elements, changes in the assets of the Corporation or changes in a service of the Corporation that are substantial and that the board has proposed but has not implemented.

#### Insurance

26. The Corporation HAS secured all policies of insurance that are required under the *Condominium Act, 1998*.

#### Phased condominium corporations

27. The Declarant:

HAS completed all phases; or

HAS NOT completed all phases described in the Disclosure Statement that the Corporation received from the Declarant under subsection 147(5) of the *Condominium Act, 1998*, with respect to the phase that contains the unit.

NOT APPLICABLE

28. The Declarant:

Does not own any of the units in the phases, including units that are part of the property designed to control, facilitate or provide telecommunications to, from or within the property; or,

Does not own any of the units in phases, except for units that are part of the property designed to control, facilitate or provide telecommunications to, from or within the property.

The Declarant owns one or more of the units in the phases, but not units that are part of the property designed to control, facilitate or provide telecommunications to, from or within the property; or,

The Declarant owns one or more of the units in the phases, including one or more of the units that are part of the property designed to control, facilitate or provide telecommunications to, from or within the property; or,

THIS SECTION IS NOT APPLICABLE

#### Vacant land condominium corporations

29.  If the Corporation is a vacant land condominium corporation, all buildings, structures, facilities and services shown in Schedule H to the Declaration have been completed, installed and provided, except

OR:  THIS SECTION IS NOT APPLICABLE

**Leasehold condominium corporations**

30.  Name, Address and Telephone No. of Lessor \_\_\_\_\_

OR  THIS SECTION IS NOT APPLICABLE

31. The provisions of the leasehold interest in the property:

ARE IN GOOD STANDING and have not been breached

ARE NOT IN GOOD STANDING and have been breached in the following ways.....

NOT APPLICABLE

32.  The Lessor HAS/HAS NOT applied under section 173 of the Condominium Act, 1998 for an order terminating the leasehold interests in the property.

NOT APPLICABLE

**Attachments**

33. The following documents are attached to this status certificate and form part of it:

- |            |    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|------------|----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>YES</b> | a) | <i>a copy of the current declaration, by-laws and rules of the Corporation;</i>                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>YES</b> | b) | <i>a copy of the budget of the Corporation for the current fiscal year</i>                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>YES</b> | c) | <i>a list of all current agreements mentioned in sections 111, 112 or 113 of the Condominium Act, 1998 and all current agreements between the Corporation and another condominium corporation, or between the Corporation and the owner of the unit(s); and</i>                                                                                                                                                                                                                            |
| <b>YES</b> | d) | <i>a certificate or memorandum of insurance for the Corporation's current insurance policies.</i>                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>NO</b>  | e) | <i>a copy of all applications made under section 109 of the Condominium Act, 1998 to amend the declaration or description for which the court has not made an order;</i>                                                                                                                                                                                                                                                                                                                   |
| <b>NO</b>  | f) | <i>a copy of the schedule that the declarant has delivered to the board setting out what constitutes a standard unit, if there is no by-law of the Corporation establishing what constitutes a standard unit;</i>                                                                                                                                                                                                                                                                          |
| <b>NO</b>  | g) | <i>a copy of all agreements, if any, described in clause 98 (1) (b) of the Condominium Act, 1998 that bind the unit;</i>                                                                                                                                                                                                                                                                                                                                                                   |
| <b>YES</b> | h) | <i>a copy of any notice containing a summary of the reserve fund study, a summary of the proposed plan for future funding of the reserve fund and a statement indicating the areas, if any, in which the proposed plan differs from the study;</i>                                                                                                                                                                                                                                         |
| <b>NO</b>  | i) | <i>a copy of an order appointing an inspector under section 130 of the Condominium Act, 1998 or an administrator under section 131 of the Condominium Act, 1998;</i>                                                                                                                                                                                                                                                                                                                       |
| <b>NO</b>  | j) | <i>a copy of the disclosure statement that the Corporation has received from the declarant under subsection 147 (5) of the Condominium Act, 1998 with respect to the phase that contains the unit unless the declarant has completed all phases described in the disclosure statement and the declarant does not own any of the units in the phases except for the part of the property designed to control, facilitate or provide telecommunications to, from or within the property;</i> |

- NO**            *k) a copy of an application by the lessor for a termination order under section 173 of the Condominium Act, 1998; if the leasehold interests in the units of the Corporation have been renewed and an amendment to the declaration has not yet been registered under subsection 174 (8) of the Condominium Act, 1998, a copy of the provisions that apply upon renewal.]*

**Rights of person requesting certificate**

34. The person requesting this certificate has the following rights under subsections 76 (7) and (8) of the *Condominium Act, 1998* with respect to the agreements listed in section 33 of this status certificate, namely:
- (i) Upon receiving a written request and reasonable notice, the Corporation shall permit a person who has requested a status certificate and paid the fee charged by the Corporation for the certificate, or an agent of the person duly authorized in writing, to examine the agreements listed in paragraph 33 of this status certificate at a reasonable time and at a reasonable location; and
  - (i) The Corporation shall, within a reasonable time, provide copies of the agreements listed in section 33 of this status certificate to a person examining them, if the person so requests and pays a reasonable fee to compensate the Corporation for the labour and copying charges.

**NOTE: No Prior Inspection of Suite Conducted**

The person requesting this certificate is hereby advised that no inspection of the unit(s) which is/are the subject matter of this certificate (nor any portion of the exclusive use common element areas appurtenant thereto), has been conducted by the Corporation or its property manager, in order to determine whether or not the Corporation has any claim for damages against the owner of such unit(s), or whether any violation of the provisions of the Act, or Corporation's declaration, by-laws and/or rules exist, prior to issuing this status certificate in connection therewith. Accordingly, the person requesting this certificate shall be solely responsible for undertaking any desired or required inspection.

**Dated this 5, day of September 2017**

**Toronto Standard Condominium Corporation No. 1738**

Per: \_\_\_\_\_

  
**Name: Charles Park**  
**Title: Treasurer**

I have authority to bind the Corporation.