

October 12, 2010

Unit Owners and Residents
Copperfield I and II
Metropolitan Toronto Condominium Corporation No. 854
Metropolitan Toronto Condominium Corporation No. 843

To Unit Owners and Residents:

**RE: Metropolitan Toronto Condominium Corporation No. 854
Metropolitan Toronto Condominium Corporation No. 843
Condominium Operations – Duties of Owners**

This firm acts as legal counsel to the Copperfield condominiums above referenced.

The Board of Directors has requested that we provide this notification to all owners and residents concerning performance of common element maintenance and repair obligations.

As you may be aware, the condominium corporations have an obligation to perform adequate maintenance repair and replacement of all of the components of the common elements on the condominium properties. Such common element components are often accessible only through the units, and accordingly cooperation of the unit residents is essential. Such projects include replacement of door hardware, cleaning of chimneys to comply with the Ontario Fire Code, etc.

Management must schedule such repairs in an efficient and cost effective manner to avoid budget overruns and increases in maintenance fees. All residents are given notice of performance of such work and they must grant access to their units necessary to perform the work. Management makes all reasonable efforts to accommodate resident schedules. Other than emergency response, or emergency repairs, reasonable notice of seven days or more is normally provided.

Unfortunately, a number of unit owners/residents have failed to open their units to allow the timely performance of necessary work. Expensive rescheduling has a significant impact on the cost to the condominium corporation, and as a result, on the maintenance fees of all owners, most of whom fully cooperate.

The registered declarations of both Copperfield condominiums permit the corporations to gain access to the units with or without consent of owners and residents to perform the objects and duties of the corporation including maintenance and repair work projects. The condominium corporation does not wish to exercise such a right as the Board of Directors and management wish to ensure that the privacy of owners and residents is respected. However, if certain owners and residents persistently fail to accommodate the reasonable work schedule requirements, the condominium corporations may have no alternative but to exercise this power of access to units to complete essential repair work as scheduled always ensuring reasonable notice is provided.

Unit owners and residents are now therefore notified that in such circumstances, additional costs (including attendance by a locksmith and, if necessary the Police) will be charged back to the unit owner whose unit is involved. This chargeback is an additional common expense which, if unpaid, could result in lien registration and enforcement proceedings against the owner.

We trust this extreme action will be unnecessary and owners and residents will realize the importance of accommodating reasonable work schedules for such essential common element maintenance and repairs.

Yours very truly,

DEACON, SPEARS, FEDSON + MONTIZAMBERT

Per:



John A. A. Deacon