

**GRANGE POINTE  
CONDOMINIUM CORPORATION 042 5217  
BOARD POLICIES**

**PENALTIES FOR BY-LAW CONTRAVENTION**

**BYLAW 17**

- 17.1 If the Board determines that a breach of by-law has occurred (or is occurring), it may, By resolution, cause a notice to be delivered to the owner alleged to be in breach. The notice shall specify the nature and particulars of the breach, as well as a reasonable time within which the breach is to be rectified. The time specified shall be no less than three (3) days from the date the notice is delivered to the owner involved.
- 17.2 If the resolution so provides, the Board may impose a fine which will be levied if the breach has not been rectified within the time specified in the notice. If the Board intends to levy a fine, the notice alleging the breach shall include a notice to that effect.
- 17.3 If the person alleged to be in breach is a tenant, the notice shall be served on both the tenant and the owner. The notice shall specify whether the owner, the tenant, or both, are liable for payment of the fine.
- 17.4 Each day of a continuing breach shall be deemed to be a separate contravention of a bylaw.
- 17.5 An owner who has received a Bylaw infraction notice from the Board may appeal the resolutions of the Board to a special general meeting of the Owners, convened in the manner specified by these By-laws.
- 17.6 The Owners convened in special general meeting may cancel, amend, or confirm the resolution or resolutions of the Board. In so doing, the Owners may enquire into all the circumstances of the alleged breach, and any actions taken subsequently.
- 17.7 The appeal to the Owners shall be conducted according to the rules of natural justice. No error in procedure shall operate so as to nullify the proceedings, unless the error is sufficiently grave as to prejudice the rights of one or more Owners.

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Bylaw Infractions will be based on Board approval on a case by case basis and fines imposed as per the schedule noted below:

- 1<sup>st</sup> Offence:     Written Warning
- 2<sup>nd</sup> Offence:     \$100.00 fine
- 3<sup>rd</sup> Offence:     \$200.00 fine
- 4<sup>th</sup> Offence:     \$300.00 fine

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**COLLECTION OF ARREARS PROCEDURE**

**BYLAW 37 - DEFAULT**

- 37.1** The Corporation may sue any Owner, by an action for debt to recover:
- a. The unpaid amount of any assessment, together with interest and the actual costs incurred by the Corporation in recovering the unpaid assessment
  - b. Any costs incurred by the Corporation in performing the Owner's duties as outlined in the Act or these By-Laws
  - c. Any other amount which an Owner owes the Corporation.
- 37.2** The Corporation also has a charge against the estate of the defaulting Owner for any amounts that the Corporation has the right to recover under these By-Laws. The charge is deemed to be an interest in land, and the Corporation may register a caveat in that regard against the title to the defaulting Owner's unit. The Corporation shall not be obliged to discharge the caveat until all arrears, including interest and enforcement costs have been paid.
- 37.3** No action shall be commenced and no caveat shall be registered until the payment in question is at least 30 days overdue.
- 37.4** Any person may pay any unpaid contribution with respect to the Apartment Home after the expiration of thirty (30) days following the due date for payment by the Owner in default. Upon such payment being made, such person shall be subrogated to the Corporation charge, and shall be entitled to enforce his charge in accordance with this provision.

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Interest on all assessed contributions in arrears accrues at an annual effective rate of 18% calculated from the date due until payment is received by the Corporation. The Board may waive or reduce the requirement to pay interest, on a case by case basis, as it sees fit.

Arrears will be handled by the Corporation's Agent as follows:

1. 0-30 days: Reminder statement forwarded to Owner(s).
2. 30-60 days: Interest charged and statement forwarded to Owner(s).
3. 60-90 days: Interest charged, letter with statement forwarded to Owner(s) stating the Board may caveat property, contact mortgagee, and send to legal Collection without any further notice (upon Board approval)
4. 90 days+: Interest charged monthly until full amount collected and acted upon as per Board's instructions as advised at the 60-90 day level.

**NOTE:** Any files sent to legal collection are handled by legal counsel; the lawyer collects the outstanding arrears including the legal fees directly from Owner(s); once all monies collected, the lawyer advises the Corporation's Agent when to discharge caveat.