

RESERVE FUND BUDGET AND THE TWO REQUIRED RESOLUTIONS OF UNIT OWNERS APPROVING:

- 1. THE RESERVE FUND BUDGET**
- 2. MONTHLY FEE CONTRIBUTION**

BYLAWS

Section 10.4 Reserve Funds

b) The amount required for the reserve funds shall be determined by the ordinary vote of the units owners at the annual general meeting, by taking into account anticipated repair and replacement costs and life expectancy of the things mentioned in subsection (a), or as otherwise permitted or directed by the Act. The amount required for the reserve funds shall then be apportioned among the owners in accordance the scheme of apportionment set out in Bylaw No. 3. Owner's contributions to the reserve funds are then payable in the amounts and at the times as determined by the board.

e) In no event shall the unit owners approve an amount required for each of the reserve funds which is less than that required for the anticipated repair and replacement costs and life expectancy of the things mentioned in subsection (a), unless otherwise permitted or directed by the Act. In making their decision, the unit owners may rely upon the recommendation of the board as to the amounts required.

Section 10.5 Budgets

The board shall from time to time and at least annually prepare a budget for the common expenses funds and a budget for the reserve funds, in accordance with Bylaw No. 3, and determine by estimate the amounts necessary for the next ensuing fiscal year or remainder of the current fiscal year, as the case may be. The board shall then submit the reserve funds budget for approval of the unit owners, pursuant to section 10.4(b) above. The board shall advise all unit owners promptly in writing of the amount payable by each of them respectively, and shall deliver copies of each final budget on which such levy is based, to all unit owners shown on the unit register.

(2)

Section 11.9 Special Assessments

If at any time it appears that the annual assessment or contribution towards the common expenses funds or reserve funds will be insufficient to meet the common expenses or reserve fund expenses as the case may be, the Corporation may assess and collect a special contribution or contributions against each unit owner in an amount sufficient to cover the additional anticipated expenses. Each such special contribution, being a contribution to the common expenses fund or reserve fund, as the case may be, shall be assessed and is collectible against the unit owners in the same manner as provided by the Act and Bylaw No. 3 for regular contributions for such fund. The Corporation shall give notice of such further assessment to affected owners which shall include a written statement setting out the reasons for the assessment; and each assessment shall be due and owing by each affected unit owner in the manner and on the date or dates specified in the notice.

CONDOMINIUM PROPERTY ACT

Section 55 Establishment of funds

(3) A reserve fund is established for the purpose of providing for the payment of:

- (a) any unforeseen common expenses;
- (b) any major repair or replacement of common facilities, common property, services units or assets of the corporation, including roofs, exteriors of buildings, roads, sidewalks, sewers, heating, electrical and plumbing systems, elevators and laundry, recreational and parking facilities; and
- (c) any major repair or replacement of any units or portions of units designated in any bylaw passed pursuant to clauses 47(1)(f.1) and (i.1).

Section 58 Contributions to reserve funds

58(1) The corporation shall, from time to time:

- (a) determine the amounts required for the reserve fund for the purposes of subsection 55(3) in accordance with the prescribed procedure; and
- (b) subject to subsection (2), determine the amount that is payable by an owner as the owner's contribution to the reserve fund by apportioning the amounts determined pursuant to clause (a) among the owners in accordance with the prescribed procedure.

(3)

(4) A fee levied pursuant to clause 56(1)(b):

(a) subject to subsection (2), is due and payable on the passing by the corporation of a resolution levying the fee and in accordance with the terms of the resolution;

THE CONDOMINIUM REGULATIONS

Reserve fund contributions

51 The corporation shall determine the amount required for the reserve fund by taking into account:

(a) the anticipated repair and replacement requirements of the common property, common facilities and services units; and

(b) the most recent reserve fund study and report, if any.

Availability of reserve fund study report

51.5 The board shall ensure that a copy of the reserve fund study report is appended to the annual report with respect to the reserve fund mentioned in section 58.2 of the Act, and made available to each owner at the next annual meeting of the corporation.