



2019 Federal Elections Important Reminders for Condominium Communities

The Federal election officially begins on Wednesday September 11, 2019 and Canadians will go to the polls to elect our national leadership on October 21, 2019.

During the election period, candidates have certain rights under the Canada Elections Act and the Condominium Act, 1998. There are several items which apply to condominiums therefore, the CCI-Toronto Legislative Committee would like to inform members on their obligations during the election period.

Canvassing

The Elections Act is very clear:

Canvassing, etc., in residential areas

- **81 (1)** No person who is in control of an apartment building, condominium building or other multiple-residence building or a gated community may prevent a candidate or his or her representative from
 - **(a)** in the case of an apartment building, condominium building or gated community, canvassing, between 9:00 a.m. and 9:00 p.m., at the doors to the apartments, units or houses, as the case may be; or
 - **(b)** in the case of a multiple-residence building, campaigning, between 9:00 a.m. and 9:00 p.m., in a common area in the multiple residence.

Section 118 of the Condominium Act also states:

- **118** No corporation or employee or agent of a corporation shall restrict reasonable access to the property by candidates, or their authorized representatives, for election to the House of Commons, the Legislative Assembly or an office in a municipal government or school board if access is necessary for the purpose of canvassing or distributing election material.

This means that with reasonable limits, those canvassing on behalf of a candidate have the right to access the property. If you or a representative of the community have concerns about persons accessing the property, ensure that you ask for appropriate identification prior to allowing entry.

Right to Leave Materials

There is no specific provision in the Elections Act that allow candidates to leave materials on private property, but Sec. 118 of the Condo Act does allow candidates, or their representatives, to distribute election material.

It would be reasonable to expect that canvassers should leave any materials in a tidy manner so as not to litter the common elements.

Signage

Many condominium corporations have rules which restrict or prohibit Owners and Residents from placing signage in windows or other areas visible from the common element areas.

In a Federal Election, condominium corporations may not prohibit the display of advertising posted in an Owner or Residents "own unit".

This means that signage may be displayed, with certain restrictions (such as a townhouse owner may not place signage on the front lawn but may be allowed to post same in their front window). Additionally, it is possible to set reasonable limitations such as size or number of posters which are displayed.

Poling Stations

It is not uncommon for condominium corporations to be selected as polling stations on election day. If your community has been selected for this upcoming election it is likely that you have already been notified by Elections Canada. Typically, a nominal amount of compensation is offered.

Penalties for Non-Compliance

There are financial penalties under the Act if any of the above requirements are not adhered to. The amount depends on the nature of the offense.

While we understand that there may be some disruption or inconvenience during this period of time, we remind all Boards and Property Managers of the importance of a fair democratic process and this is the intent of the Act.