

SOMERSET VILLAGE

CONDOMINIUM CORPORATION NO. 961 1089



INFORMATION PACKAGE

FOR OWNERS AND OCCUPANTS

(updated November 2021)

INTRODUCTION

This Information Package has been prepared for Condominium Corporation No. 961 1089 (hereinafter referred to as the “Corporation”) by its Board and one copy has been supplied to the owner of each unit at Somerset Village. If lost, or if additional copies are required for a tenant or other occupant of a unit, copies of this Information Package may be obtained from our Management Company at a reasonable cost.

The content of this Information Package is divided into the following four (4) sections and is intended to provide owners and occupants with convenient access to:

- 1) information regarding the operation and upkeep of this condominium project
- 2) forms owners may need from time to time in order to obtain approval of the Corporation or to otherwise communicate with the Corporation:

- General Information
- Bylaws of the Corporation
- Policies, Procedures, Rules and Regulations of the Corporation
- Forms for completion by owners

For the sake of consistency, we have tried to use the **same terms** in this Information Package as are used and **defined in the Bylaws of the Corporation** (See the Bylaw Section of this Information Package).

Suggestions from owners with respect to the content or presentation of this Information Package are welcome. Care has been taken to minimize errors in this package but if errors are noticed it would be appreciated if they would be reported to the Corporation.

If there is any conflict between the Bylaws of the Corporation and information contained or referred to in this package, the Bylaws of the Corporation prevail.

If there is any conflict between the Condominium Property Act and information contained or referred to in this package, the Condominium Property Act prevails.

GENERAL INFORMATION SECTION

HISTORY / BACKGROUND

The Somerset Village condominium project in the community of Somerset, in the City of Calgary, in the Province of Alberta, Canada, was built by Rockford Developments Inc. in 1996 and was developed as a BARELAND condominium pursuant to Condominium Plan No. 961 1089 filed at the Calgary Land Titles Office by Genstar Development Company Mountain Ltd. on May 31, 1996.

This condominium project consists of 87 townhouse units (52 full two story buildings and 35 bungalows with a loft or other variation). 4 bungalow townhouse units (1 structure) are located at 16404 – 16410 Somervale Link SW. and the other 83 units (15 structures) are located at 6 – 151 Somervale Park SW (3 fourplex units, 2 fiveplex units, 9 sixplex units and 1 sevenplex unit).

There are a total of 13 visitor parking spots, **for visitors only**, in this project.

CONDOMINIUM CORPORATION

The name of the Condominium Corporation charged with the responsibility of overseeing and regulating the affairs of this condominium project is: **Condominium Corporation No. 961 1089** (originally known as "The Owners: Condominium Plan No. 961 1089").

The name by which the condominium project overseen and regulated by Condominium Corporation No. 961 1089 is known, and has been known from its beginnings, is: **Somerset Village**.

A Board of Directors of the Corporation (herein referred to as the "Board"), consists of from 3 to 7 members, and is elected by the owners annually, pursuant to the provisions of the Bylaws of the Corporation (registered at the Calgary Land Titles Office), to administer the affairs of the Corporation.

It is the duty and obligation of the Board to maintain the Common Property and Managed Property, to enforce the Bylaws of the Corporation and to ensure compliance with the Architectural Standards as defined in these Bylaws, all pursuant to the provisions of the By-laws and related Policies of the Corporation.

The Board is also empowered by the Bylaws of the Corporation to establish such Policies, Procedures, Rules and Regulations as may be necessary or desirable (see Policy Section of this Information Package).

MANAGEMENT COMPANY

The Board is empowered by the Bylaws of the Corporation to contract the services of a Condominium Manager to carry out the duties of the Corporation as defined in these Bylaws, and to this end the Corporation engaged the services of Diversified Management Southern (DMS) commencing August 1, 2013. All day to day problems and requests should be referred to the Condominium Manager as follows (this information may change from time to time):

Condominium Manager: **Kelly Heintz**
Diversified Management Southern
218, 222 – 16 Avenue NE
Calgary, Alberta, T2E 1J8
Phone: 403-230-7376
Fax : 403-230-7356
Email: kheintz@divsouth.com
Web: divsouth.com

FINANCIAL MATTERS

The fiscal year of the Corporation runs from January 1st to December 31st and a Budget is established by the Board annually, prior to year end. A copy of the annual Budget as approved by the Board is provided to all owners prior to the commencement of the New Year, along with a copy of the new schedule of Condominium Contributions (Condo Fees) for the coming year.

The Budget of the Corporation must cover all the common expenses of the Corporation, including administration, operating expenses, maintenance, upkeep, insurance and the Capital Replacement Reserve Fund. Contributions to a Capital Replacement Reserve Fund are required by law and make up a significant portion of the annual Budget. An updated 25 year **Capital Replacement Reserve Fund Study and a Reserve Fund Plan** must be completed every five (5) years.

The **monthly contributions** (Condo Fees) payable by each owner is determined by the Board using the following formula:

$$\frac{\text{Annual Approved Budget}}{12} \quad \times \quad \frac{\text{unit factor of owner's unit}}{10,000}$$

The **unit factor for each owner's unit** was established by the Developer and is recorded on Condominium Plan No. 961 1089 registered at the Calgary Land Titles Office. Copies of this Condominium Plan can be obtained from the Land Titles Office (Chief Surveyor's Office) for a small fee. The unit factor for each unit is recorded on the annual schedule of contributions (Condo Fees) mailed by the Corporation to each owner with the annual approved budget.

Contributions (Condo Fees) are payable by owners monthly in advance and all arrears, including late payments, shall be subject to interest at the current interest rate, payable from the due date to the date that settlement is received. In addition, a late payment fee will be added to the amount due for any payments not received prior to the due date and an applicable fee will be charged to owners for each NSF return reported by our bank. If arrears are not settled within 30 days of the due date, owners will receive a notification

from the Management company and if not settled within 60 days, the Mortgagee with an interest in this property (if any) may be asked to make the outstanding payment(s) and/or a Caveat will be registered against the subject property at the Land Titles Office. (If applicable, the Mortgagee will recover from the owner any monies paid to the Corporation) Any costs associated with these arrears, including costs of registering and discharging a Caveat or any foreclosure action which could follow, plus any interest, penalties, fines and legal fees, will be passed on to the owner. Property with a Caveat registered against it cannot be sold by an owner before the indebtedness covered by the Caveat is settled or assumed by the purchaser.

When contributions (Condo Fees) are not paid on time, it adversely affects the Corporation's ability to hire and pay for services required to maintain the property of all owners. All owners are penalized when one owner's contributions are not kept current.

Contributions (Condo Fees) can be paid by providing the Management Company with a pre-authorized bank debit or by providing the Management Company with twelve (12) post-dated cheques before the beginning of each year. The automatic bank debit is generally preferred as it does not require owners to provide a new payment instruction, annually. Failure to provide the Condominium Corporation with either post-dated cheques or a pre-authorized bank debit will result in fines being charged to the owner.

INSURANCE

The Corporation is required to insure the common property, the Managed Property including the basic structure of all buildings, and any betterments and improvements made by owners of which the Board has knowledge and to carry liability insurance all pursuant to the provisions of the Bylaws of the Corporation. The amount of the property insurance carried by the Corporation is determined by the Board annually, based on an appraisal or appraisal update obtained from an independent certified insurance appraiser. The Corporation provides an Insurance Certificate to each owner annually and whenever the insurance coverage changes.

Each unit owner must insure his/her own contents and such other property (including betterments and improvements) and liability not insured by the Corporation. In 2020, the Alberta Government made changes which allow the Corporation to require a unit owner to pay up to \$50,000 of the Corporation's

deductible for loss or damage to condo property, if the loss originated in your unit. Check with your insurance provider if your policy covers this.

UPKEEP

The Corporation contracts the services of a private contractor to clear away snow, cut the grass plus carry out other specified landscaping work.

The Corporation also pays a private contractor to pick up household garbage, recycling and composting set at each unit's curb. Garbage and recycling must be placed in securely tied plastic bags that **weigh no more than 20 kg per bag as per the policy**. Composting must be placed in Board-approved lined, hard shell, latch-able bins and is picked up weekly.

Each unit is permitted to set out **2 bags of household garbage every second week as per the schedule provided in the quarterly Newsletter**. Unless otherwise advised, **garbage bags must be placed at the curb in front of each unit by 9:00 am on Wednesday of every second week**, holidays being the exception. Refer to the Garbage, Recycle, Compost Pick-up Policy for more details.

Costs incurred by the Corporation for services provided for owners and other occupants are paid from the monies collected from owners in form of condominium fees, unless these costs are the result violations of the Bylaws or the Policies, Procedures, Rules and Regulations established for Somerset Village in which case these costs and other fees such as fines will be charged back to the respective unit owner.

PERSONAL INFORMATION

The information gathered by the Corporation and its Manager about owners and/or other occupants of units at Somerset Village is gathered strictly for the purposes of managing the affairs of the Corporation including the enforcement of the Bylaws and Policies of the Corporation and this information will not be used for any other purpose.

BYLAWS AND POLICIES

The Bylaws and Policies of the Corporation include, among many other provisions, **restrictions** on vehicles, parking, pets, noise, repairs, renovations and/or improvements to units and the owners and occupants should consult these Bylaws and Policies on any matter that may be restricted by the Corporation. Failure to comply fully with all the provisions of the Bylaws and Policies of the Corporation may result in fines and other sanctions being assessed against the offending owner.

BY-LAW SECTION

BYLAWS OF THE CORPORATION

The Revised Bylaws of the Corporation, as per the New Provincial Condo Act, were approved by the owners of Somerset Village in 2020. A copy of the current Bylaws were supplied to each unit owner in the approval process but are also available for a fee from either the Project Management Company or the Calgary Land Titles Office.

Each owner should insert a copy of the current Bylaws into this section of this Information Package for handy reference. A copy of the Bylaws must be made available to the occupant(s) of his/her unit.

POLICY SECTION

POLICIES, PROCEDURES, RULES AND REGULATIONS OF THE CORPORATION FOR OWNERS

Various *Policies, Procedures, Rules and Regulations For Owners* have from time to time been approved by the Corporation and copies have been supplied to each unit owner as they were approved. Copies of these *Policies, Procedures, Rules and Regulations For Owners* are available for a fee from the Project Manager.

Each owner should insert a copy of all current *Policies, Procedures, Rules and Regulations For Owners* into this section of this Information Package for handy reference. A copy of the *Policies, Procedures, Rules and Regulations For Owners* must be made available for the occupant(s) of his/her unit.

All occupants and visitors to Somerset Village are subject to the Bylaws and the Policies, Procedures, Rules and Regulations established for Somerset Village. It is the respective owners' responsibility to provide copies of these documents to the occupants of their units and to instruct the occupants of their units regarding these matters. Visitors to Somerset Village must be instructed by the owners and/or occupants of units in Somerset Village regarding relevant matters such as vehicle and parking restrictions and pet issues.

FORMS SECTION

FORMS FOR COMPLETION BY OWNERS

Various standard forms are prepared by the Board periodically for use by owners at Somerset Village. These forms, referred to in the *Policies of the Corporation*, are available on the Somerset Village web site and from the Project Management Company upon request.

Each owner should insert a copy of these standard forms into this section of this Information Package for handy reference.