

OLLRA News

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Life Lease Is in the News!

“Life leases offer a tight-knit community of seniors, but have been called 'outside of the law, or the wild west or a hot mess' due to the lack of legislation...” – May Warren, Toronto Star

Life lease has been in the news in recent weeks. TorStar and many of its affiliated newspapers across Ontario published an article on June 4th by May Warren about Wyndham Gardens in Unionville/Markham.

This spring, some of our members at Wyndham Gardens alerted OLLRA that they’d all been asked to pay as much as \$23,000 to pay for a roof replacement and other items. That event is what inspired the first article.

An ‘assessment’ like this one does happen with older condominiums with inadequate reserve funds, but it came as a shock to these life lease residents.

Clearly, some life lease Boards need help ensuring their capital reserve funds are appropriately managed. On page 3, I present some training options.

Right after the Wyndham Gardens article came out, Ms. Warren reached out to us at OLLRA to find out more about life lease housing.

Dave Wellock, Gerry Meade and I met

with her virtually and she published a second article on June 5th. We confirmed the benefits of life lease, especially social connectedness. As Gerry said, “It creates a community just for seniors who help each other out, getting groceries or taking each other to doctors’ appointments. This really helps avoid isolation which is a huge mental health issue.”

On the negative side, many lawyers, real estate agents and insurers don’t know much about life leases or don’t explain them well. I pointed out that lack of legislation is becoming even more of an issue as prices for life leases are rising fast – in some cases well over \$1 million dollars. Some real estate agents also list them as condos – a concept people are familiar with and that offers excellent legal protections, unlike life lease homes.

Here’s a link to the Star’s Wyndham Gardens article:

https://www.thestar.com/real-estate/these-markham-seniors-bought-life-leases-in-an-apartment-building-now-theyre-being-told-they/article_590031bc-9d4a-4bb3-a9db-ecc50a86cb7f.html

And here’s one to the second article: [What you need to know about ‘life leases’ in Ontario](#)

– Lois Marsh-Duggan, Editor

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Activity Report from the Government Affairs Committee

OLLRA's Government Affairs Committee is comprised of Carol Dijkman and Gerry Meade of The Gallery in Georgetown; Helen Landrigan of St. Paul's Terrace in Scarborough; Ron Leamen of Heidelberg Village in St. Catharines and Dave Wellock of Stone Road Village in Niagara-on-the-Lake. Here's a summary of our recent activities.

What's Happening with Legislation?

With the termination of Bill 141, An Act Respecting Life Leases, the committee attempted to determine if the government had a follow-up interest in re-introducing LL legislation. To that end we had members meet with a Conservative MPP and a well-connected NDP MPP, requesting that they approach the new Minister of Municipal Affairs and Housing, Rob Flack, to sound him out.

We Introduced Minister Flack to OLLRA

We also wrote Minister Flack directly and provided him with information supporting the need for LL legislation. Minister Flack's reply provided no promises but, interestingly, did not include any negatives which was encouraging. We felt we had a toe in the door.

Help from OLLRA members

While that was underway, the committee began developing a plan for lobbying the government over the summer months. Plans include contacting influential government leaders and having OLLRA members visit their MPPs, especially those in the Conservative Party, with the intent of having new life lease legislation introduced by the government or via another private member's bill.

These plans include talking points for members to use during their meetings, along with information to leave with the MPP to read. We will have this packaged for you in the near future. The recent Toronto Star story about a problem in a LL community has stirred the interest of our legislators – we need to take advantage of this opportunity.

Meeting with MPP Matthew Rae

On June 9th, we met with MPP Matthew Rae, the sponsor of Bill 141. He was very encouraging of our efforts and suggested we continue lobbying. We expect that he will support a new bill or arrange for someone else to do so when parliament resumes in October.

— Dave Wellock

Still Relevant...Article on Life Lease Valuation

In 2010, the **Appraisal Institute of Canada** published an article called "**Possible Valuation Issues with Life Lease Housing**" by Jane Londerville.

Much of it is still relevant, for example, "*There is no legislated requirement in Ontario for life lease developments to maintain a capital reserve. Part of the due diligence a condo purchaser undertakes is to examine the*

health of the reserves by looking at the most recent reserve fund study. This information is only available to the purchaser of a life lease unit if the owner has done a study and is willing to release the information." This is why 'financial transparency' is desperately needed for life lease buyers.

See [2010Book-1Life-Lease-Housing.pdf](#) or you can search for the article by title online.

Life Lease Directors' Corner

Looking for Director Training?

Are you a new board member overseeing a life lease community? While as yet there is no legal requirement for you to take any training, there are some great resources out there. *Nonprofit Law Ontario* offers training and guidance. See [Directors - Nonprofit Law Ontario](#)

The *Condominium Authority of Ontario (CAO)* offers free director training to anyone who's interested. Online modules cover popular topics like capital reserve funds, conflict resolution and procurement (purchasing). They also publish specialized guides. Here are two popular ones:

- [CAO Guide on Procuring Goods and Services - Condominium Authority of Ontario](#)
- [CAO Guide on Condo Reserve Funds](#)

Complying with ONCA

A member recently told us her life lease board doesn't believe Ontario's Not-for-Profit Act (ONCA) applies to their corporation. In fact, all not-for-profit life

lease corporations are subject to the Act. There is no penalty for *not* being in compliance with ONCA. However there is a risk that your corporate bylaws may no longer be legally enforceable.

Operational vs Governance-Only Boards

I recently had a conversation with the CEO of my life lease community about why our Board of Directors doesn't communicate directly with residents, something that does happen in other communities.

She explained that boards of mixed accommodation villages like ours are 'governance only' and don't get involved in day-to-day operational issues. Instead, they have a CEO and managers to do that. To ensure residents' voices are heard, they carry out an extensive annual satisfaction survey of all residents.

She said standalone life lease boards are more 'hands on', dealing with operations issues and more in contact with residents or residents' councils.

— Lois Marsh-Duggan

- ***"...To ensure all residents' voices are heard, they carry out an extensive annual satisfaction survey of all residents."***

Volunteer Opportunities

Want to help out OLLRA as a volunteer?

We will be looking for a new **Treasurer** this fall as Janet E. plans to step down from that role.

We're also looking for **writers** to contribute articles to this newsletter.

Many thanks to **Janet M.** who recently volunteered to be our **bookkeeper**.

To volunteer, contact us at info@ollra.ca

Community News

Welcome to our newest members from:

Vintage Garden I & II (Scarborough)

Parkside Christian Village (Guelph)

Aurora Meadows (Aurora)

Trinity Village Terraces (Kitchener)

St. Elizabeth Village (Hamilton)

Upper Mill Pond (Hamilton)

The Gainsborough (London)

Ontario Life Lease Residents Association, Inc. (OLLRA)

For more information, see the Resources page at ollra.ca

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- David Wellock, Co-Chair
- Janet Epp, Treasurer
- Lois Marsh-Duggan, Secretary

Newsletter Editors:

- Lois Marsh-Duggan
- Kathryn Kowal

You Can Help Promote Life Lease Legislation

This summer, our Ontario members of parliament (MPPs) will be at home in their local constituencies – going to BBQs, shaking hands and learning about their voters’ priorities.

MPP Matthew Rae has encouraged us to mobilize you, our members, to make sure all our MPPs understand what life lease is and why we need legislation to protect our financial security.

You can help promote the need for life lease legislation by requesting an in-person meeting with your MPP. It’s easy! OLLRA will give you an information package and some talking points. Take a friend with you!

We have a number of volunteers already, but if you would like to receive a package for a meeting, contact us at info@ollra.ca.

Life Lease Legislation Across Canada

It’s a marathon, not a sprint...

So far, only Manitoba has a fully-implemented life lease act.

Saskatchewan passed their act in 2021, but it still hasn’t been enacted, and there’s no published timeline.

British Columbia is not yet at the starting gate, but our Co-Chair Dave Wellock was recently interviewed about life lease housing by a Masters student in Political Science from the



University of Victoria. Hey, it’s a start!

Here in Ontario, as Dave Wellock reported on page 2, we’re still waiting for a replacement for Bill 141 to be tabled. We’re looking forward to a “made in Ontario” bill next time.

In the meantime, OLLRA will do everything we can to keep up the momentum.

Stay tuned for action this fall!

**NOT A MEMBER YET? JOIN OLLRA TODAY.
See our [Resources page at ollra.ca](http://ollra.ca) for an application form or contact us by email at info@ollra.ca**

Disclaimer

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