

**METROPOLITAN TORONTO CONDOMINIUM CORPORATION NO. 734
(the "Corporation")**

Pursuant to Section 58 of the *Condominium Act, 1998*, as amended (the "Act")

NOTICE OF NEW RULE

Please find enclosed a copy of a proposed new Harassment and Interference Rules 1) to 3) as Section 24 to the Corporation's Rules, in accordance with Section 58 of the Act.

The Board of Directors has proposed that this new Rule will become effective on Friday September 9, 2022.

Unit owners have the right to requisition a meeting to vote on this proposed Rule under section 46 of the Act. The Rule will become effective:

1. If the Board receives a requisition for a meeting of owners under section 46 of the Act within 30 days after the date of this Notice, then the earlier of:
 - a. The time at which a quorum is not present at the first attempt to hold the meeting; and
 - b. The time at which a quorum is present at the first attempt to hold the meeting and the owners do not vote against the rule at the meeting.

OR

2. If the Board does not receive a requisition for a meeting of owners under section 46 of the Act within the 30 days after the date of this Notice, on September 9, 2022.

We enclose a copy of the text of sections 46 and 58 of the *Condominium Act, 1998* for your reference.

DATED this 10 day of August 2022.

**METROPOLITAN TORONTO CONDOMINIUM CORPORATION NO. 734
(the "Corporation")**

Pursuant to Section 58 of the *Condominium Act, 1998*

HARASSMENT AND INTERFERENCE

WHEREAS the Board of Directors of the Corporation has the authority to pass rules in order to promote the safety, security and welfare of the owners and of the property and assets of the Corporation, and to prevent unreasonable interference with the use and enjoyment of the common elements, the units or the assets of the Corporation and other units,

NOW THEREFORE BE IT ENACTED AS SECTION 24, RULES 1) to 3) OF THE CORPORATION AS FOLLOWS:

SECTION 24 HARASSMENT AND INTERFERENCE

- 1) No one shall act in a manner that is deemed by the Board or management to be unmanageable, rude, disruptive, aggressive, abusive, anti-social, threatening or harassing in nature towards any board members, Property Manager, employees, agents, invitees or contractors of the corporation or management, Owners and/or Residents.
- 2) No one shall interfere with, hinder or impede the Board, management or either of their employees or agents from carrying out their duties and obligations pursuant to the Act, the Corporation's Governing Documents and/or any agreement to which the Corporation is a party.
- 3) Due to the seriousness of harassing behaviour and the potential injury to someone who is subject to harassment, when the Corporation is in receipt of a claim of harassing, disruptive, aggressive or abusive behaviour by an individual that the Board or management reasonably believes to be legitimate, the Board and/or management may, in its reasonable discretion, elect to send the matter directly to the Corporation's solicitors for handling, and all costs incurred will be charged back to the owner of the unit responsible for the individual.

Section 58 of the Condominium Act, 1998

Rules

- 58** (1) The board may make, amend or repeal rules under this section respecting the use of the units, the common elements or the assets, if any, of the corporation to,
- promote the safety, security or welfare of the owners and of the property and the assets, if any, of the corporation; or
 - prevent unreasonable interference with the use and enjoyment of the units, the common elements or the assets, if any, of the corporation. 2015, c. 28, Sched. 1, s. 54 (1).

Rules to be reasonable

- (2) The rules shall be reasonable and consistent with this Act, the declaration and the by-laws. 1998, c. 19, s. 58 (2).

Same, proposed rules

- (3) Rules proposed by the declarant before the registration of a declaration and description shall be reasonable and consistent with this Act, the proposed declaration and the proposed by-laws. 1998, c. 19, s. 58 (3).

Inconsistent provisions

- (4) If any provision in a rule or a proposed rule is inconsistent with the provisions of this Act, the provisions of this Act shall prevail and the rule or proposed rule, as the case may be, shall be deemed to be amended accordingly. 1998, c. 19, s. 58 (4).

Amendment by owners

- (5) The owners may amend or repeal a rule at a meeting of owners duly called for that purpose. 1998, c. 19, s. 58 (5).

Notice of rule

- (6) Upon making, amending or repealing a rule, the board shall give a notice of it to the owners that includes,
- a copy of the rule as made, amended or repealed, as the case may be;
 - a statement of the date that the board proposes that the rule will become effective;
 - a statement that the owners have the right to requisition a meeting under section 46 and the rule becomes effective at the time determined by subsections (7) and (8); and
 - a copy of the text of section 46 and this section. 1998, c. 19, s. 58 (6); 2015, c. 28, Sched. 1, s. 54 (2).

When rule effective

- (7) Subject to subsection (8), a rule is not effective until the following time:
- If the board receives a requisition for a meeting of owners under section 46 within 30 days after the board has given notice of the rule to the owners, the earlier of,
 - the time at which a quorum is not present at the first attempt to hold the meeting, and
 - the time at which a quorum is present at the first attempt to hold the meeting and the owners do not vote against the rule at the meeting.
 - If the board does not receive a requisition for a meeting of owners under section 46 within the 30 days after the board has given notice of the rule to the owners, the day after that 30th day. 2015, c. 28, Sched. 1, s. 54 (3).

Same

- (8) A rule or an amendment to a rule that has substantially the same purpose or effect as a rule that the owners have previously amended or repealed within the preceding two years is not effective until the owners approve it, with or without amendment, at a meeting duly called for that purpose. 1998, c. 19, s. 58 (8).

Same, proposed rule

- (9) Despite subsection (7), a rule proposed by the declarant before the registration of the declaration and description shall be effective until it is replaced or confirmed by a rule of the corporation that takes effect in accordance with subsection (7). 1998, c. 19, s. 58 (9).

Compliance

- (10) All persons bound by the rules shall comply with them and the rules may be enforced in the same manner as the by-laws. 1998, c. 19, s. 58 (10).

Section 46 of the Condominium Act, 1998

- 46** (1) A requisition for a meeting of owners may be made by those owners who at the time the board receives the requisition, own at least 15 per cent of the units, are listed in the record maintained by the corporation under subsection 47 (2) and are entitled to vote. 1998, c. 19, s. 46 (1).

Form of requisition

- (2) The requisition shall,
- be in writing and be signed by the requisitionists;
 - state the nature of the business to be presented at the meeting; and
 - be delivered personally or by registered mail to the president or secretary of the board or deposited at the address for service of the corporation. 1998, c. 19, s. 46 (2).

Same, removal of directors

- (3) If the nature of the business to be presented at the meeting includes the removal of one or more of the directors, the requisition shall state, for each director who is proposed to be removed, the name of the director, the reasons for the removal and whether the director occupies a position on the board that under subsection 51 (6) is reserved for voting by owners of owner-occupied units. 1998, c. 19, s. 46 (3).

Duty of board

- (4) Upon receiving a requisition mentioned in subsection (1), the board shall,
- if the requisitionists so request in the requisition or consent in writing, add the business to be presented at the meeting to the agenda of items for the next annual general meeting; or
 - otherwise call and hold a meeting of owners within 35 days. 1998, c. 19, s. 46 (4).

Non-compliance

- (5) If the board does not comply with subsection (4), a requisitionist may call a meeting of owners which shall be held within 45 days of the day on which the meeting is called. 1998, c. 19, s. 46 (5).

Reimbursement of cost

- (6) Upon request, the corporation shall reimburse a requisitionist who calls a meeting under subsection (5) for the reasonable costs incurred in calling the meeting. 1998, c. 19, s. 46 (6).