

Mandatory condo director training – can disqualified directors be re- appointed?

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Under recent amendments to the *Ontario Condominium Act*, all condominium directors appointed, elected, or re-elected on or after November 1, 2017 are required to complete the training program provided by the *Condominium Authority of Ontario* (CAO) within six months of their appointment, election or re-election.

If courses are not taken within these required time periods, then the Directors in question are automatically disqualified from their positions. From my experience dealing with CAO, these time-periods are not flexible or subject to appeal.

On the whole, these new regulations have been well received by condominium boards, and the procedures have been generally followed. With that said, there are still many directors who have failed to comply with their mandatory training obligations, which has led to a series of different complications for condominium boards and property management.

A Director who has been disqualified for failing to take the required training can be re-appointed under [section 34\(2\)](#) of the *Condominium Act*. This section allows the remaining board members to appoint a board member prior to the AGM. **However, the Director must have taken the required courses at the time of the re-appointment.** This has been a common occurrence for many boards. However, it must be stressed that the re-appointment can only occur if the board in question has proper quorum at the time of the re-appointment. If there is not proper quorum to make a re-appointment, then a meeting of owners needs to be called under [section 34\(4\)](#) of the *Condominium Act*.

The best advice is to take the required training within the prescribed time-periods, so as to avoid these issues in the future.

(This blog is provided for educational purposes only, and does not necessarily reflect the views of Gardiner Roberts LLP).

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