



Owners Requests for Records, a Continuation

By Denise Lash on September 19, 2011



A follow up to our posting on "Owners Requests for Records." Mr. Lahrkamp found himself in court once again when Metropolitan Toronto Condominium Corporation No. 932 brought a [motion in Small Claims Court](#) for clarification with respect to the minutes and the proxies that the Corporation was ordered to provide.

Some interesting points on matters raised by both parties, were made by Justice Godfrey in his decision:

- Confirmation that the Corporation could redact references to unit owners and unit numbers.
- No charges for labour relating to the redacting of portions of the minutes ie. only the costs relating to the labour for photocopying could be charged.
- Names, unit numbers and signature of the unit owners can be redacted from proxies.
- The addition in handwriting of another candidate's name to a proxy, which addition is not under the handwriting of the unit owner giving the proxy but a third party, does not invalidate the proxy.
- [Section 52\(4\)](#) of the Condominium Act which requires proxies to be "under the hand of the appointer", means that it has to be signed by the unit owner (appointer) and does not mean the rest of the proxy has to be under the handwriting of that unit owner.

The articles and comments contained in this publication provide general information only. They should not be regarded or relied upon as legal advice or opinions. © Heenan Blaikie LLP.