



Accessibility for Condo Residents - AODA

By [Denise Lash](#) on October 17, 2011



[Condo buyers with disabilities](#) are having difficulty finding suitable housing to meet their needs. Part of the problem is that the development industry has not been focusing on the special needs of persons who require modification to the traditional design of condominium units. But things are changing with the introduction of [The Accessibility for Ontarians with Disabilities Act \("AODA"\)](#) which was enacted in 2005 the objective of which is to have Ontario fully accessible by 2025 through a phased approach.

It is important for condominium corporations to ensure that they are in compliance with this legislation. There are penalties and the potential for directors and condominium corporations to be fined for failure to meet the AODA's requirements. In addition to AODA, a condominium corporation may also find itself the subject of a Human Rights complaint on the basis of discrimination. In 2009/2010, 52.5 percent of the applications before the Human Rights Tribunal related to discrimination based on disabilities. Now is the time to start thinking about these issues.

[In our previous blog posting](#), we noted that existing condominium corporations will have an obligation as of January 1, 2012 to carry out certain steps as part of the initial phase of implementing the AODA.

One of the first mandatory regulations under AODA, came into effect on January 1, 2008. This regulation is the Customer Service Standard the purpose of which is to identify, remove and prevent obstacles/barriers that inhibit goods or services to people with disabilities. The deadline for compliance is January 1, 2012. and applies to all condominium corporations with one or more employees.

The regulation requires that policies and procedures be put into place to service people with disabilities. It must deal with such things as:

- Use of personal assistive devices and the ability to access services
- Service animals
- Support persons
- Temporary service disruptions
- Feedback and complaints procedures for disabled residents
- Communication with disabled residents
- Training of staff, volunteers and third party providers



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Where a condominium corporation has more than 20 employees, additional requirements must be met.

The important thing to keep in mind is that the regulation will impact all day to day operations. It will deal with such matters as:

- Resident move-in
- Concierge/Security
- Maintenance and Service
- Notices
- Board and Owner meetings
- Complaints by residents
- Common expense collection and payment
- Arrears notification
- Resident move-out

Boards of Directors should be reviewing existing policies and develop and approve those policies where needed. Training of staff, board members and third party contractors will have to be part of the overall review and a training plan should be developed.

The deadline is fast approaching and it is important for property management and board members to begin the review and ensure that policies and procedures accommodate the needs of the residents in the community.

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