

to People with Disabilities?

- Establish a process for receiving feedback on how the business will provide goods or services to people with disabilities and how it will respond to any feedback.

If your organization has 20 or more employees or is in the public sector, you must also:

- document in writing all your policies, practices and procedures for providing accessible customer service and meeting other requirements set out in the Customer Service Standards.
- notify customers that documents required under the Customer Service Standards are available upon request.
- provide required documents in a format that takes into account the person's disability.
- file annual accessibility reports with the government.

Private sector businesses, non-for-profit organizations, and organizations with fewer than 20 employees are not required to file annual accessibility reports.

The Risks of Non-Compliance

Fines for non-compliance can be substantial. Every person convicted of an offence under the Act is liable to a fine of up to \$50,000 for each day on which the offence occurs, or if that person is a corporation, to a fine up to \$100,000 for each day on which the offence occurs.

Also, every director and officer of a corporation has a duty to take all reasonable care to prevent the

corporation from committing an offence under the Act. Every director or officer who fails to carry out this duty is liable to a fine of up to \$50,000 per day.

Take Action Now!

To ensure that your organization can comply with the new regulation, you should immediately:

- establish policies, practices and procedures on providing goods or services to people with disabilities.
- document your policies, practices and procedures in writing (we recommend this for all organizations, not just those with 20 employees or more).
- train your employees and others who interact with the public and other organizations.

Additional information, including examples of acceptable practices that organizations can choose to adopt, can be found on the website of the Ministry of Community and Social Services: <http://www.mcsc.gov.on.ca/en/mcss/programs/accessibility/index.aspx>. If your organization needs advice on establishing and documenting policies, Lawrences has several lawyers who would be able to advise you.



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details of any additional reports to be submitted to the municipality, as well as any applicable conditions such as an initial reserve fund study, performance audit, tenant survey, or building inspection report.

Besides considering his upfront costs, Paul must take into account that he will lose control of the buildings after selling the majority of the units, since he will have only one vote per unit that he retains, just like the other owners.

Is It Worthwhile?

If Paul tries to sell the whole plaza to one owner, he

is at the mercy of the market at the time he sells. If he converts the property to a condominium, he has the flexibility of selling individual units at prices the market will bear and he can still retain some units to lease if he chooses. The pros and cons must be carefully considered after seeking expert legal advice.



Heather Picken heads Lawrences' Real Estate Group. She has extensive experience in condominium conversion, especially commercial condominium development. Heather can be reached at (905) 452-6891 or hpicken@lawrences.com.