

Step-by-Step Guide to Using the New Proxy Form (Version 2)

On May 10th, 2018, the Ontario Government released an updated version of the [Proxy Form](#). The updated version of the Proxy Form must be used for all owners' meetings after May 10, 2018.

Boards and managers are encouraged to include this step-by-step guide in their notices to owners to ensure that the new proxy form is completed correctly.

A note on the new forms:

If the new prescribed forms are filled in on a computer, then keep in mind that they are now in a “dynamic” PDF format. A *dynamic* PDF document will expand or retract in length, depending on the user's selections. For example, simply clicking a checkbox in a form might automatically expand the form, prompting the user to enter more information about their selection. Here are a few things to be mindful of:

- (1) If you prefer to fill out the form by hand, rather than on the computer, then click “Print Blank Form in Full” at the top of the form. When you click “Print Blank Form in Full”, your PDF software will notify you that “This action will convert the form into a printable format. You will no longer be able to complete this form on your computer...”. Click “Yes”. Next, click the “Print Form” button located at the top of the form. This provides a fully expanded, printable version of the form;
- (2) when viewing this form on a computer, you might not be viewing it in its entirety (due to the expandability of the forms, as described above); and,
- (3) ensure that your Adobe Reader or other PDF software is updated to the latest version.

The new proxy form:

FAQ: “*What is a proxy? Why would I have to fill out a proxy form?*”: A proxy is a person who represents the owner at a meeting of owners. A proxy form allows owners, who are unable to attend a meeting, to be represented by a “proxy” for quorum and/or voting purposes. The following is an overview of the Proxy Form:

Page 1

- Identification of Condominium Corporation's name
- Identification and signature of owner
- Proxy Identification Number (“PIN”) [optional]
- Date

Section 1

- Voting to elect candidates to vacant positions on the board that all owners may vote for

Section 3

- Voting for specific matters

Page 2

- Appointment of proxy
- Date of meeting
- Instructions to proxy holder

Section 2

- Voting to elect candidates to any vacant position on the board that only owners of owner-occupied units may vote for

Section 4

- Voting for removal of directors and election of substitutes

***NOTE:**

- ❖ All selections made on and after page 2 of the proxy form must be initialed by the owner/proxy giver.
- ❖ The corporation's board or manager may prepare a proxy form for owners by completing certain parts of the form. The parts of the form that the board or manager may prepare are indicated in **blue font**. Although it is not required, it is recommended, and is industry practice, for the corporation's board or manager to prepare certain parts of the form.

How to Use the New Proxy Form

Page 1: Corporation and Owner Identification

STEP 1: Fill in the Condominium Corporation's name:

STEP 2: Select one of the following checkboxes, indicating whether you are:

- the registered owner(s);
- a person authorized to act on behalf of the registered owner(s);
- the mortgagee(s); or
- a person authorized to act on behalf of the mortgagee(s).


STEP 3: Write your name (the proxy giver's name):

(ie. the name of the registered owner(s), person authorized to act on behalf of the registered owner(s), the mortgagee(s) or the person authorized to vote on behalf of the mortgagee(s)).

STEP 4: Fill in the address of your Condominium and your unit number:

STEP 5: Fill in the date and time that the proxy form is signed:

STEP 6: Place your signature (owner, mortgagee, or authorized representative):

 Ontario	Ministry of Government and Consumer Services	Proxy Form
<p>Instruction This PDF form can be filled out electronically and then saved or printed. The blank form can also be printed in full and then filled out in hard copy. The form is formatted so that when it is printed, identifying information about the proxy giver (name, address, and signatures) can be torn off and separated from the voting information in the rest of the form. To do this, the form must be printed in one-sided format.</p>		
Proxy Identification Number (optional):		Proxy Identification Number (optional):
To (condominium corporation's name): Fine & Deo Condominium Corporation No. 100 ("FDCC 100")		
I am (we are) <ul style="list-style-type: none"> <input type="checkbox"/> the registered owner(s) <input type="checkbox"/> authorized to act on behalf of the registered owner(s) <input type="checkbox"/> the mortgagee(s) <input type="checkbox"/> authorized to act on behalf of the mortgagee(s) 		Name of proxy giver (the person entitled to vote at the meeting, for example, the registered owner or mortgagee): Jonathan H. Fine
<p>Instruction for person filling out the form: In the case of a corporation, affix the corporate seal or attach a statement that the persons signing have the authority to bind the corporation. If you are authorized to act on behalf of the registered owner(s) or mortgagee(s), attach a copy of the document that gives you this authorization.</p>		
		Proxy giver's unit number and municipal address or other description of the unit: Unit # 300 3100 Steeles Ave. West, Vaughan, ON L4K 3R1
<p><small>Note: If your corporation is a common elements condominium corporation, please identify the relevant parcel of tied land in the above space.</small></p>		
Dated this <u>15</u> day of <u>May</u> , 20 <u>18</u> , at <u>1:00</u> <input type="checkbox"/> am <input checked="" type="checkbox"/> pm		Signature <u>X</u>

***NOTE:**

- ❖ If you are completing the proxy form on behalf of a corporation, then you must affix the corporate seal or attach a statement verifying that you have authority to bind the corporation (i.e. "I have authority to bind the corporation.")
- ❖ If you are authorized to vote on behalf of a registered owner or mortgagee(s), then you must attach the document that gives you such authorization (ie. power of attorney)

Page 2: Appointing a Proxy, Instructions to Proxy Holder

STEP 1: Fill in the date of the meeting of owners:




STEP 2: Fill in the name of the proxy: (the person attending the meeting on your behalf). Place your signature or initial to the right of the named proxyholder.

NOTE: You can appoint more than one proxy. If the proxy named in row A fails to attend, then the proxy named in row B is automatically appointed.

STEP 3: Choose either the first, or the second, or the third box and place your signature or initial to the right of your selection:

- QUORUM:** Check the first box if you are submitting your proxy to count for quorum purposes only. This proxy is not allowed to vote on any matters at the meeting. If you select this box, do not fill out the remainder of the proxy form.
- ROUTINE PROCEDURE:** Check the second box if you want your proxy to vote only on matters of routine procedure at the meeting (ie. adjourning a meeting). If you select this box, do not fill out the remainder of the proxy form.
- ALL MATTERS:** Check the third box if you want to give your proxy full authority, subject to your instructions, to vote on your behalf with respect to all matters at the meeting.

Please note: if you select the third box, and you do not provide any voting instructions on the remainder of the form, then the proxy-holder has full authority to vote on all matters at the meeting (ie. by way of ballot).

Proxy Identification Number (optional):	Proxy Identification Number (optional):
I (we) appoint the proxy named in row A below, or, failing him or her, the proxy named in row B below, to attend and vote on my (our) behalf at the meeting of owners to be held on <u>2018/03/30</u> and at any adjournment of the meeting: Date (yyyy/mm/dd)	
Name of Proxy	Signature or initials
A. <u>Mario Deo</u>	<u>X</u>
B. <u>Boards or managers may enter an automatic appointment here: "Director X, failing which, Director Y, is appointed as your proxy"</u>	
I (we) revoke all proxies previously given.	
Please check only one of the three boxes below:	
<input type="checkbox"/> The proxy is not authorized to vote on my (our) behalf with respect to any matter at the meeting, including matters of routine procedure. Instruction for person filling out this form: Check this box if you are appointing the proxy only to count towards quorum. If this box is checked, then the rest of the form should not be filled out.	Signature or initials 
<input type="checkbox"/> The proxy may vote on my (our) behalf only with respect to matters of routine procedure at the meeting, and no other matters, as I (we) could do if personally present at the meeting. Instruction for person filling out this form: If this box is checked, then the rest of the form should not be filled out.	Signature or initials 
<input type="checkbox"/> The proxy may nominate candidates or may vote on my (our) behalf with respect to all matters that may come before the meeting, subject to any instructions set out below, as I (we) could do if personally present at the meeting. Instruction for person filling out this form: If this box is checked and you do not provide instructions with respect to any part of the rest of this form, you are giving your proxy the authority to nominate any candidates or vote in any manner with respect to that part of the form, as you could do if you were personally present at the meeting.	Signature or initials 
<input type="checkbox"/> Section 1. Voting to elect candidates to vacant positions on the board that all owners may vote for:	
<input type="checkbox"/> Section 2. Voting to elect candidates to any vacant position on the board that only owners of owner-occupied units may vote for:	
<input type="checkbox"/> Section 3. Voting for specific matters:	
<input type="checkbox"/> Section 4. Voting for removal of directors and election of substitutes:	

***NOTE:**

- ❖ The person completing the proxy must now sign or initial their name to the right-hand side of every selection made.
- ❖ If a signature or initial is not provided, the owner's instruction may be unclear, and potentially declared invalid by the chairperson of the meeting.

Section 1: Voting to elect candidates to vacant positions on the board that all owners may vote for (if applicable)

STEP 1: If the meeting is to elect candidates to vacant positions on the board, then check the box beside "Section 1".

STEP 2: Write the name of the candidate(s) and rank them in order of preference.

STEP 3: Place your signature or initial to the right of each of the candidates you instruct your proxy to vote for.

Proxy Identification Number (optional):		Proxy Identification Number (optional):
<input checked="" type="checkbox"/> Section 1. Voting to elect candidates to vacant positions on the board that all owners may vote for: I/we instruct the proxy to nominate, if necessary, and to vote for the candidates named below and in the order set out below.		
Order of vote (enter 1, 2, 3, etc.)	Candidates for the Position(s) on the Board	Signature or initials
1	Joseph Ryan	X
2	Michael Pascu	X
Instruction to person filling out the form: If you set out any names above, your proxy may only vote for the named individuals and only if, at the time of the vote, they are candidates. If you list more names than positions available on the board of directors, your proxy will vote in the order set out above up to the number of positions that are available. The numbers in the left hand column indicate the order in which you want the proxy to vote. These numbers indicate your priority.		

Section 2: Voting to elect candidates to an owner-occupied position (if applicable)

STEP 1: If an owner-occupied position is up for election and if you are an owner of an "owner-occupied unit", then check the box beside "Section 2".

STEP 2: Write the name of the candidate(s) and rank them in order of preference.

STEP 3: Place your signature or initial to the right of each of the candidates you instruct your proxy to vote for.

Proxy Identification Number (optional):		Proxy Identification Number (optional):
<input checked="" type="checkbox"/> Section 2. Voting to elect candidates to any vacant position on the board that only owners of owner-occupied units may vote for. I (we) instruct the proxy to nominate, if necessary, and to vote for the candidates named below and in the order set out below for the position on the board for which only owners of owner-occupied units may vote under s. 51(6) of the <i>Condominium Act, 1998</i> .		
Order of vote (enter 1, 2, 3, etc.)	Candidates for the Position(s) on the Board	Signature or initials
1	Joseph Ryan	X
2	Michael Pascu	X
Instruction to person filling out the form: Your proxy may only vote for individuals whose names are set out above and who, at the time of the vote, are candidates. If you list more names than positions available on the board of directors, your proxy will vote in the order set out above up to the number of positions that are available.		

Section 3: Voting for specific matters (if applicable)

STEP 1: Check the box beside “Section 3”.

STEP 2: Write down the matter to be voted on and indicate whether you are in favour or against it.

STEP 3: Place your signature or initial to the right of your selection.

Proxy Identification Number (optional):		Proxy Identification Number (optional):
<input checked="" type="checkbox"/> Section 3. Voting for specific matters: I (we) instruct the proxy to vote as indicated below with respect to the specified matters that may come before the meeting, subject to any instructions set out below, as I (we) could do if personally present at the meeting.		
Specific Matter	In favour	Signature or initials
Approval of By-Law No. 5	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	X
	<input type="checkbox"/> Yes <input type="checkbox"/> No	
	<input type="checkbox"/> Yes <input type="checkbox"/> No	
	<input type="checkbox"/> Yes <input type="checkbox"/> No	
	<input type="checkbox"/> Yes <input type="checkbox"/> No	
	<input type="checkbox"/> Yes <input type="checkbox"/> No	
	<input type="checkbox"/> Yes <input type="checkbox"/> No	

Section 4: Voting for removal of directors and election of substitutes (if applicable)

STEP 1: Removing a director:

A) Check the box beside “Section 4”.

B) Write the name of the director(s) under requisition, and check the appropriate box indicating whether you are in favour of the director’s removal or whether you are against their removal.

C) Place your signature or initial to the right of your selection.

Proxy Identification Number (optional):		Proxy Identification Number (optional):	
<input checked="" type="checkbox"/> Section 4. Voting for removal of directors and election of substitutes: I (we) instruct the proxy to vote as indicated below with respect to the removal of director(s) from the board of the Corporation:			
Name of Director	In Favour of Removal	Against Removal	Signature or initials
Joseph Ryan	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	X
Michael Pascu	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	X
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
Instruction to person filling out the form: This section should only be filled out if the business of the meeting, as set out in the Notice of Meeting, includes a requisition under section 46 of the <i>Condominium Act, 1998</i> for the removal of a director. The individuals named above may include directors in any position on the board of directors, including any position for which only owners of owner-occupied units may vote under s. 51 (6) of the <i>Condominium Act, 1998</i> . Note that if a director’s position on the board is a position for which only owner-occupied units can vote under s. 51 (6) of the <i>Condominium Act, 1998</i> , then only those owners may vote with respect to the removal of that director.			

STEP 2: Electing replacement directors: continued on the next page.

***NOTE:**

- ❖ Fill out this Section 4 only if there has been a requisition by the owners to remove one or more directors from the board under section 33 or 46 of the *Condominium Act, 1998*

STEP 2A: If the vote to remove a director is successful, then vote for the replacement director(s), for which **all** owners may vote at the meeting.

A) Check the applicable box.

B) Write the name of the candidate(s) running to fill the vacancy and rank them in order of preference.

C) Place your signature or initial to the right of your selection.

Proxy Identification Number (optional):		Proxy Identification Number (optional):
<input checked="" type="checkbox"/> If a vote for the removal of one or more directors is successful, I (we) instruct the proxy to nominate, if necessary, and to vote for the candidate(s) named below and in the order set out below. Any candidates named below are or may be candidates for those positions on the board of directors for which all owners may vote at the meeting:		
Order of vote (enter 1, 2, 3, etc.)	Candidates for the Position(s) on the Board	Signature or initials
1	Marco Graziani	X
2	Maria Dimakas	X
Instruction to person filling out the form: If you set out any names above, your proxy may only vote for the named individuals and only if, at the time of the vote, they are candidates. If you list more names than positions available on the board of directors, your proxy will vote in the order set out above up to the number of positions available. The numbers in the left hand column indicate the order in which you want the proxy to vote. These numbers indicate your priority. Note that if a director's position on the board is a position for which only owner-occupied units may vote under s. 51 (6) of the <i>Condominium Act, 1998</i> , then only those owners may vote with respect to the election of a substitute.		

Please note: If the position of the removed director was an "owner-occupied position", then follow the steps in 2AB, below:

STEP 2B: If the vote to remove a director is successful, then vote for the replacement director(s), for which **only** owners of owner-occupied units may vote at the meeting. Check the applicable box.

A) Check the applicable box

B) Write the name of the candidate(s) running to fill the vacancy and rank them in order of preference.

C) Place your signature or initial to the right of your selection.

Proxy Identification Number (optional):		Proxy Identification Number (optional):
<input checked="" type="checkbox"/> If a vote for the removal of a director in any position on the board of directors for which only owners of owner-occupied units may vote under subsection 51 (6) of the <i>Condominium Act, 1998</i> is successful, I (we) instruct the proxy to nominate, if necessary, and to vote for the candidate(s) named below and in the order set out below for that position on the board of directors.		
Order of vote (enter 1, 2, 3, etc.)	Candidates for the Position(s) on the Board	Signature or initials
1	Marco Graziani	X
2	Maria Dimakas	X
Instruction to person filling out the form: If you set out any names above, your proxy may only vote for the named individuals and only if, at the time of the vote, they are candidates. If you list more names than positions available on the board of directors, your proxy will vote in the order set out above up to the number of positions available. The numbers in the left hand column indicate the order in which you want the proxy to vote. These numbers indicate your priority. Note that if a director's position on the board is a position for which only owner-occupied units may vote under s. 51 (6) of the <i>Condominium Act, 1998</i> , then only those owners may vote with respect to the election of a substitute.		

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