



# Checklist: Documents for Purchasers of New and Converted Condominiums

This publication is intended to provide general information only and is not a substitute for legal advice.

The *Condominium Property Act* and regulations require a developer to provide specific documents and information to a purchaser who is buying a newly constructed condominium unit, or a converted unit, from the developer.

After July 1, 2021 a converted property study (CPS) replaces the building assessment report (BAR) for condominium conversions. Completing a BAR is not required for newly constructed condominiums.

## Purchase Agreement Requirements

Each purchase agreement must contain the following information:

- A notification of the purchaser's cancellation rights as prescribed in section 12.2 of the *Condominium Property Act*;
- If the unit or the common property is not completed when the purchase agreement is made, the agreement must include a description, drawing, or photograph of
  - the interior finishing and all major improvements to the common property
  - any significant utility installations
  - major easement areas and similar features
  - the location of roadways, walkways, fences, parking areas and recreational facilities
  - landscaping
  - exterior finishings
  - other features as required by section 12.2 of the Act;
- The unit factor of the unit, and a description of the basis for the allocation of unit factors for all the units in the condominium plan; and
- The amount or estimated amount of monthly unit contributions (also known as condominium fees). The amount must be based on the actual or proposed budget of the corporation.

## Documents and information

The developer must provide the following documents and information to each purchaser before agreeing to sell a unit or proposed unit.

- The bylaws or proposed bylaws
- Any management agreement or proposed management agreement
- Any recreational agreement or proposed recreational agreement
- The lease, if the land on which the unit is located is leased
- The term, rent, renewal rights of, and parties to the lease, if the land where the unit will be located is leased land
- The condominium plan or proposed condominium plan
  - The plan must show the parking for visitors and disabled persons if any
- Any home warranty insurance contract under the *New Home Buyer Protection Act*
- The most recent budget or proposed budget of the corporation
  - If the unit is in a plan of redivision, or in the second or subsequent phase of a phased development, the developer must provide a purchaser with estimates of any changes to the corporation's expenses.

For more information, go to the [Condominium Rules](#) page on [alberta.ca](#)

- If an annual budget has been prepared for the fiscal year by the corporation in accordance with section 30(4) of the Act, the developer must deliver the annual budget to each purchaser.
- If no budget has been prepared under section 30(4) of the Act, the developer must deliver a proposed budget to each purchaser.
- Any mortgage or financial encumbrance registered against property the corporation will own
- Any mortgage that will affect the title to a unit
- If the unit is a conversion, a converted property study or if the conversion or new build was completed before July 1, 2021, the building assessment report. See below for more information.
- If the condominium is a conversion, a copy of the reserve fund report.
- An occupancy date which is either a fixed date or range of dates
- A list of any fees, rents or other charges the corporation will have to pay to the developer or a third party for the use of any units, common property or other property of the corporation
- The amount of any occupancy fees the developer will charge prior to contributions being levied by the corporation
- A description of any other fees the developer will charge
- The name and the address for service of the developer
- If deposits are required, the name and the address for service of the trustee who will hold deposits
- If the development is not substantially complete, and if the unit is not a bare land unit, the floor plan of the unit and details of the materials to be used to finish the unit.
- If the condominium is being built in phases, the phased development disclosure statement
- If no condominium plan has been registered:
  - If the developer has an interest in the land on which the condominium is to be built, a certificate of title or registration on title showing the developer's interest in the land or;
  - If the developer has no registered interest in the land on which the condominium is to be built, a statement to that effect.
- Where there are bare land units on the parcel of land:
  - a description of any roads, utilities, services or delivery and distribution systems that are to be paid for by the corporation or are required to be repaired, maintained or replaced by the corporation, including water, sewage disposal, electricity and natural gas, and
  - a statement as to whether the developer will seek redivision of any units in accordance with section 20 of the Act.

To make certain that purchasers have received all of the required information, the developer or sales representative should review with the purchaser both the purchase agreement and the table of contents that must be provided with the package.

### Converted Property Study:

If the unit being sold is in a building converted from a former use (for example a commercial space or a rental building), the developer must provide the purchaser with a converted property study (CPS) after July 1, 2021.

- The CPS replaces the building assessment report (BAR) that was required prior to July 1, 2021, but developers who completed a BAR before July 1, 2021 will still need to provide that document to purchasers.
- The CPS must contain the following:
  - the date of original construction of the building,
  - description of all previous uses of the building,
  - the Alberta Building Code applicable at the time of construction of the building
  - the dates on which any physical modification was made, other than modifications to address normal wear and tear,
  - a description of any major retrofits to the building, if any were completed prior to the current conversion.
  - the identification, location, and description of several physical components of the building as listed in the Condominium Property Regulation
  - a description of how the CPS was carried out

- a survey of any occupants of the building
- a copy of any report or plan required under the *Occupational Health and Safety Act*
- a statement regarding all building components about whether they were replaced, refurbished, or left in their existing condition during conversion, including estimated remaining service life
- any other deficiencies observed
- a signature and stamp of a professional engineer or registered architect.