

**Insurance on units, fixtures, finishing**

**61.1(1)** For the purposes of this Part and section 47(1) of the Act, “improvements” as made to units by owners do not include

- (a) any property included in the applicable standard insurable unit description, in the case of a residential unit, or
- (b) any fixtures and finishing that must be insured by a corporation under subsection (2), in the case of a non-residential unit.

**(2)** Unless the bylaws require that additional insurance be provided by the corporation, for the purposes of section 47(1)(a) of the Act, a corporation shall, at a minimum, place and maintain the following amount of insurance, as applicable:

- (a) for the residential units on the parcel, other than those owned by a developer, the replacement value of the units and of the fixtures and finishing in the units, as if all units contained the features as described in the applicable standard insurable unit description;
- (b) for the residential units owned by the developer on the parcel, the replacement value of the units and of the fixtures and finishing as they existed at the time of the registration of the condominium plan;
- (c) for the non-residential units on the parcel, other than those described in clause (d), the replacement value of the units, which, for greater certainty, excludes the replacement value of any fixtures and finishing in the units;
- (d) for the non-residential units on the parcel being used in connection with a residential purpose, including parking spaces and storage units for owners of residential units, the replacement value of the units and of the fixtures and finishing in the units, as the units and fixtures and finishing were typically provided to purchasers by a developer;
- (e) for the units on the parcel that are owned by the corporation, the replacement value of the units and of the fixtures and finishing in the units.

**(3)** A standard insurable unit description must include a description of the typical features in the applicable units, other than units that are common property, including the following, as applicable:

- (a) floor coverings, wall coverings and ceiling coverings;
- (b) electrical lines and fixtures, including lighting fixtures;
- (c) plumbing lines and fixtures;
- (d) natural gas lines and fixtures;
- (e) fixtures with respect to air exchange and temperature control;
- (f) walls that do not form the unit’s boundaries, and any

windows and doors located in those walls;

- (g) cabinets and counter tops;
- (h) non-chattel appliances.

(4) Nothing in this Part precludes a corporation from increasing the amount of insurance obtained for a unit in accordance with subsection (2)(a) to reflect a higher replacement value, where the corporation determines that there are variations, in size or in other material factors, from the standard insurable unit description among the units in a class of residential units.

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### **Standard insurable unit description process**

**61.2(1)** If section 61.1(2)(a) applies, and if the developer has not prepared and provided the standard insurable unit description for the residential units or each class of residential units, the corporation shall

- (a) ensure that a standard insurable unit description has been adopted for each class of residential units, and
- (b) identify the standard insurable unit description that applies to each of the residential units on the parcel if there are 2 or more classes of residential units on the parcel.

(2) A corporation may adopt or amend a standard insurable unit description by

- (a) a special resolution,
- (b) an ordinary resolution, if the corporation has not passed a special resolution referred to in clause (a), or
- (c) a board resolution, if the corporation has not passed a special resolution referred to in clause (a), and has not passed an ordinary resolution referred to in clause (b).

(3) If a corporation adopts a standard insurable unit description pursuant to subsection (2)(c), the corporation must present that description as an agenda item at the next annual general meeting of the corporation for ratification or amendment by ordinary resolution.

(4) If a corporation adopts a standard insurable unit description under subsection (1) or (2) or amends a standard insurable unit description under subsection (2), the corporation shall file at the land titles office a notice containing the most current standard insurable unit description applicable to all classes of residential units.

(5) A notice under subsection (4)

- (a) must be submitted for filing in a form acceptable to the Registrar, and
- (b) must contain
  - (i) a clear indication of the type of resolution under which the standard insurable unit definition was

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adopted or amended,

- (ii) a certification that the resolution was duly passed,
- (iii) the seal of the corporation, and
- (iv) any other information required by the Registrar.

**(6)** A corporation shall file all standard insurable unit descriptions adopted or amended under subsection (2) with the land titles office in the form set by the Registrar.

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