

Who's Who in Condo Law

Twenty of the Country's Finest

A lawyer is not always the most popular — nor the most accessible — player on a condominium team. He or she is seldom the least expensive. Nevertheless, a lawyer is always an important component in the mechanism of a well-tuned condominium.

"Oh," but you say, "look how much our lawyer bills us, while our poor old property manager struggles along on half the money." True. But let's face it — money spent today on solid legal advice can save you thousands of dollars later, when an oversight turns into a lawsuit.

A good condo lawyer is a full-time scholar. He or she learns all the nooks and crannies of hundreds of acts, in order that condo boards and managers can run their corporations with minimal legal difficulties. When there's a

major problem staring you in the face, it's great to know that your lawyer is there.

Remember: it's a lawyer who should explain, to you, the ramifications and liabilities of your actions as a board. *Not* the other way around. Make certain that he or she speaks two languages: plain English and condominium.

The lawyers in our "Who's Who" know their stuff. They understand the condominium legislation in their provinces thoroughly, and have dealt with situations that continuously arise.

The list is by no means comprehensive; we're sure there are many brains out there that we're not aware of. But this group is a good start. Any of the following, we suggest, could adequately represent your legal needs.

RONALD CLARKE **Reed Donahue**

Calgary lawyer Ronald Clarke was the condominium man of the year for 1986. Recently in practice with Reed Donahue, Clarke works in all areas of condominium law, from initial development to representing condominium corporations.

Clarke is a founding member and president of the South Alberta chapter of CCI, and is president of two small condominium investment corporations.

A frequent lecturer, Clarke has spoken at CCI-sponsored seminars and courses, and for Calgary's Home Builders Association and Real Estate Board. He is also the author of various papers on condominium law and contributes regularly to *The Condominium Magazine*.

MARK F. FREEDMAN **Gordon, Traub & Rotenberg**

Mark Freedman's articles on condo-

miniums have appeared in the *Toronto Sun* and *The Condominium Magazine*.

Called to the bar in 1981, Freedman started his specialization in condominium law with McCauley Lipson & Joseph. In 1982, he joined Gordon, Traub & Rotenberg. He was made a partner in the Toronto firm last year.

A member and current director of CCI, Freedman has written articles and papers for the organization's seminars and conferences. He has also lectured for "Insight Seminars" on condominium financing, and won the contest for the splashiest tie at the Alberta condominium conference.

GERALD D. HYMAN **Rosenberg Smith Paton Hyman**

Gerald Hyman has been active for many years in the condominium field, acting primarily for corporations.

Called to the bar in 1962 and appointed to the Queen's Counsel in 1977, Hyman is currently a partner

with Rosenberg Smith Paton Hyman.

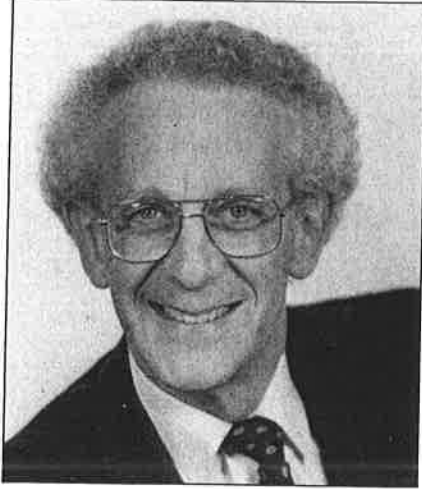
Hyman has conducted condominium seminars and participated in condominium panels for the Law Society of Upper Canada and for CCI conferences. He has contributed regularly to *The Condominium Magazine* since 1985.

MARY G. CRITELLI **DelZotto, Zorzi**

When Mary Critelli joined Rosenberg Smith Paton Hyman in 1978, she worked with Alvin B. Rosenberg as both a lawyer and a writer.

For eight years, Critelli and Rosenberg (who has since been called to the Bench of the Ontario Supreme Court) worked together on major condominium cases and advised boards, owners and developers. She co-wrote articles and publications, including the 1979 revision of *Condominium Canada* and "Rule 612 and Condominium Disputes" in 1984.

In 1986, Critelli left Rosenberg Smith Paton Hyman — where her practice centered on civil litigation



Gerald Hyman

and condominium law — and joined DelZotto, Zorzzi, where she practises real-estate law with an emphasis on condominiums.

Critelli is a member of the board of governors at Ryerson Polytechnical Institute and a member of CCI.

DONALD J. KRAMER
Duncan & Craig

For nearly a decade, Don Kramer's name and personal dedication have been synonymous with condominiums in Alberta. Quick-witted Kramer, who represents more than 100 condominium corporations in the Edmonton area, is a native of Saskatchewan who earned his degree at Queen's University in Ontario.

The 35-year-old partner in the Edmonton firm of Duncan & Craig, when not playing with his scores of electric trains, plots embarrassing situations for Ontario contemporary Jonathan Fine.

JONATHAN FINE
Barrister & Solicitor

Jonathan Fine is a high-profile condominium lawyer with experience in all areas of condominium life — as a unit owner, director, manager and solicitor.

Fine graduated from Osgood Hall Law School and was called to the bar in 1976. As a sole practitioner specializing in condominium law, Fine has acted for developers, purchasers



Donald Kramer

and vendors for both new and resale units, mortgagees, corporations, unit owners and managers.

Fine has lectured across the country on condominium-related matters and is the host of "Condo Call In" on Rogers Cable TV, Channel 10. He was a founding director and member of CCI, a past president, and is a current director. He also teaches real estate in the bar-admission course for the Law Society of Upper Canada.

No stranger to *The Condominium Magazine*, Fine has been writing the monthly column "Legal Ease" (now "Fine Print") since 1982.

JIM DAVIDSON
Nelligan/Power

Young and energetic, Jim Davidson was called to the bar in 1984, and was also called to condominium law. At Nelligan/Power where he has practised law since 1984, Davidson's work revolves around condominium law, real estate and municipal law, and commercial litigation.

Davidson, who attended Queen's University, joined CCI in 1985. Since then, he has lectured at both its Ottawa and national conferences. Davidson has delivered seminars for CCI's Ottawa chapter and was its director and secretary for the city.

He sits on the City of Gloucester Condominium Advisory Board and is the editor of the CCI bulletin for the nation's capital.



Jim Davidson

Davidson is quickly becoming a force in the Ottawa condominium community.

JOHN DEACON
Pacey, Deacon & Spears

Quietly and diligently, John Deacon has aided hundreds of condominium corporations through corporate-detail work and troublesome lawsuits.

A long-term player in the condominium legal profession, Deacon and his associates at Pacey, Deacon & Spears have devoted a great deal of time and energy to make legal matters easier for condominiums.

He is a regular editorial contributor to *The Manager* — ACMO's magazine — and has lectured on condominiums at various seminars and courses.

JOHN HAHN
Hahn & Maian

The litigator of the law firm with a heart, John Hahn loves a tough case. Currently working on a hot case involving HUDAC, which is bound to set precedents one way or the other, Hahn craves the creation of case law.

Formerly a partner in the firm Morris/Rose/Ledgett, Hann and partner Roslyn Maian have developed a thriving law firm as effectively as they are raising their family. Hahn is sharp, aggressive and realistic.

JOHN (SANDY) KILGOUR
Morris/Rose/Ledgett

There are few areas of condominium law where Sandy Kilgour has not been visible and successful. He's serious about his legal work and is precise to the "nth" degree — whether drafting condo bylaws, running a meeting, preparing legals and declarations for developers, or preparing well-considered opinions.

Formerly, most of Kilgour's time was spent on condominium boards, but initial documentation for developments has become a keen focus of his large practice. He has been one of the biggest names in condominium law for nearly a decade.

AUDREY LOEB
Widman & Loeb

Audrey Loeb, lawyer and former real estate columnist for *The Globe and Mail*, is the co-author of the legal text *Condominium: The Law & Administration in Ontario*.

Loeb, a member of the dynamic team of Widman & Loeb, was formerly with the Ministry of Consumer and Commercial Relations and a member of the Ontario Residential Study Group. She was counsel to Condominium Ontario and was chosen to author the Condominium Act of Bermuda.

Currently the chairperson of the Ontario branch of the Canadian Bar Association's real-property subsection of condominiums, Loeb lectures at Ryerson Polytechnical Institute in Toronto and for the Ontario Real Estate Association.

GEOFF PACEY
Pacey, Deacon & Spears

A former director of Condominium Ontario, Geoff Pacey has acted for many condominium corporations, in various capacities, for over a decade.

A boardroom lawyer and litigant, his knowledge of matters pertaining



Audrey Loeb

to condominiums has been clearly evident.

Pacey is now a partner in the Toronto firm Pacey, Deacon & Spears.

ROSLYN MAIAN
Hahn & Maian

The corporate mastermind of Hahn & Maian — the four-year-old law firm — Roslyn Maian's expertise in condominium administration (and her reliable amicability) make her a popular problem-solver with many condominium boards.

When she's not speaking at a seminar or on a TV talk show ("Condominiums of the Rich and Famous"), she's busy raising a family and re-populating the universe. Maian is the human touch in the law firm with a heart.

She is also a regular contributor to *The Condominium Magazine*. Her "Ask a Lawyer" is one of our most avidly read columns.

STUART M. MILLOWITZ
Millowitz Hodes

Stuart Millowitz is an acknowledged expert in condominium law in Quebec and is often consulted by other lawyers on condominium matters. In March, 1971, Millowitz completed the legal work for Quebec's first con-



Geoff Pacey

dominium. Since then, he has been involved with many of the large developments in Montreal.

A partner with Millowitz Hodes, he has done extensive work fighting the ban on condominium conversion in Quebec.

Millowitz has lectured on condominiums for the Canadian and Quebec Bar Associations. He delivered the keynote speech at the first Canadian condominium seminar in Toronto in 1980.

PATRICIA M. CONWAY
Morris/Rose/Ledgett

Patricia Conway left a theatrical career that encompassed acting, writing, producing, directing and teaching for a legal career involving condominium litigation.

She graduated from the University of Toronto and, since 1981, has been practising with the firm of Morris/Rose/Ledgett. Conway became a partner in the firm in 1986.

Recently, she is noted for exemplary work regarding act amendments and adult-only law analysis for CCI.

JANICE PAYNE
Nelligan/Power

Janice Payne's interest in condominium law began in 1977, one year after she was called to the bar, when she began to act for her first condomin-



Janice Payne

ium-corporation client. Now a partner at Nelligan/Power, one of Ottawa's larger law firms, Payne's practice is focused on litigation with emphasis on condominium and employment law.

Payne, 37, is one of three Nelligan/Power lawyers involved in the condominium side of the practice (Jim Davidson and Roy McCormick are the other two). They represent about 70 condominium-corporation clients dealing with the Condominium Act, real estate and commercial matters.

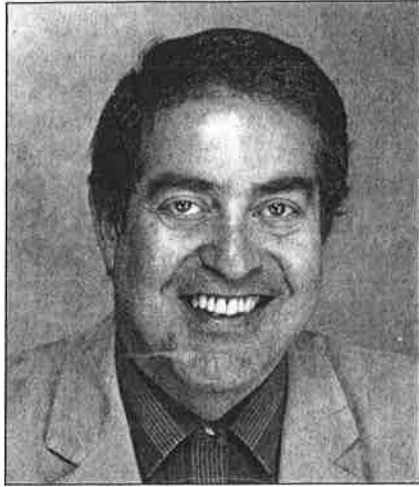
Payne joined CCI in 1984 and became vice-president of the Ottawa chapter the following year. She is a regular speaker at the national and Ottawa condominium conferences and delivers papers at Ottawa CCI-sponsored seminars.

**ROBERT SMETHURST
D'arcy and Deacon**

Robert Smethurst's interest in condominiums, which was sparked while on vacation in Honolulu in 1967, led to the drafting of the Manitoba Condominium Act in 1968.

Since then, Smethurst has acted for developers, lending institutions, condominium associations, purchasers and vendors. He prepared the documents used for Manitoba's first condominium, first condominium conversion, and first commercial condominium building.

A great diplomat and a gentleman,



David Milman

Smethurst is a charter member of CCI and has been a director of the organization since it was established. Along with Lorne Young, he founded the Manitoba chapter of CCI.

Smethurst has been in practice for more than 30 years. At the end of June he is leaving the position of senior partner with Winnipeg's D'arcy and Deacon to become the executive director of the British Columbia branch of the Canadian Bar Association.

**DAVID MILMAN
Lilly McClintock Bowman**

Since being called to the bar in 1962, David Milman has been involved in real-estate law. In 1972, as a partner with Milman and Valvo, condominium law became a major concern.

Milman was on the executive committee of the real-estate section of the Canadian Bar Association. He practised as a chancery barrister as counsel to other lawyers in condominium and other areas of real-estate law.

He has lectured extensively on property and condominium law at colleges and condominium conferences.

**BARRY WIDMAN
Widman & Loeb**

Barry Widman, noted as Canada's condominium tax guru, won the precedent-setting case in 1975 that amended the Assessment Act of On-



Leonard Fine

tario in favour of condominiums.

While Widman has lectured extensively on taxation problems in condominium corporations, his expertise covers all condominium matters. Good humour and a dynamic personality have made him a favourite among condominium directors and professionals. For 15 years, Widman has been a consistent force in all areas of condominium-related law along with his very capable partner, Audrey Loeb.

**LEONARD FINE
Goodman and Carr**

Leonard Fine was one of the pioneers of condominium law. Called to the bar in 1955, he has practised almost exclusively in real estate, focusing on condominium developers.

A senior partner with Toronto's Goodman and Carr, Fine is involved in many major condominium projects including residential, industrial, office and mixed-use condominiums. He was a major force in the creation of Ontario's first condominium legislation and drafted many of the documents still in use today.

Fine is the seminar leader in the real-estate portion of the bar-admission course at Osgoode Hall. He has spoken at numerous programs, including those sponsored by the Law Society of Upper Canada, the Canadian Bar Association, and Insight.

Fine was counsel for the Urban Development Institute in its submission to the government for amendments to the Condominium Act.