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"REAL NEWS!" September 2013 issue

Dear clients, friends and family,

We hope this finds you well.

As the Autumn is here (not to mention Winter is just around the corner), we would like to thank you for your support during all of this summer.

After closing many real estate transactions in the months of June, July and August, most of you may still be unpacking, meeting your new neighbours and finding some interesting or undisclosed facts about your new home. Perhaps you just sold your home and the new owners are asking for some repairs or to pay for some issues they claim were known to you before the day of closing.

Whether you recently sold or purchased a home or are just looking for more information, we thought it was a good idea to cover "post-closing issues". In this September "Real News" issue, we cover what to do with utilities arrears (gas and hydro), water and taxes arrears as well as unpaid condo fees.

In our next edition of "Real News" for the month of December 2013, we will cover what fixtures/chattels are, hidden defects and will provide you with a broad portrait of what to do, what are your recourses and what you should consider.

Did you know that we post all of our newsletters online? Yes, they are available on our website by clicking [here](#).

We also include a list of this month's community events for those of you interested in getting involved in the community.

Jacques Robert & team

Utilities Arrears

Hydro/Gas

- You just moved into your beautiful new house and you received an invoice that belongs to the former owners? Fear not! Utilities arrears are the easiest to resolve as they follow the individuals; not the land. As such, an unpaid invoice of electricity or gas will not be registered against your property. Nonetheless, you need to take care of this issue to prevent any breach in your services.
- What to do: simply call Hydro Ottawa 613-738-6400 or Hydro One 1-888-664-9376 or Enbridge Gas 1-877-362-7434 and explain your situation. They may ask you to provide a copy of the written notice that was sent to them by the Buyers' lawyer regarding the change of ownership. A copy of these notices is included in our package for all Buyers.
- However, please note that if you are buying a home, you still need to contact all the utility companies yourself in order to setup your account. Even though a written notice was sent by the Buyers' lawyer, the utility companies want to hear from their new clients!
- When selling a home, you also need to call all the utility companies. They require your forward address to send you your last invoice and/or any credits there might be on your account as well as your confirmation to stop all pre-authorized payments.

Tax/water Arrears

- Tax and water arrears are crucial since they follow the land, whoever the owners may be. They can sometimes rise to substantial amounts.
- What to do: contact your lawyer as soon as possible. When acting for Sellers, the lawyer relies on the information provided by the clients when providing the Statement of Adjustments. This Statement divides the responsibility between the Buyers and the Sellers for the taxes.
- In other words, you only pay for the portion of the taxes attributed to the number of days you actually have/had **possession** of the property (whether you actually live in it or not). Note that the closing day itself is apportioned to the Buyers.
- Good to know: if you have a monthly plan with the City of Ottawa or pay your taxes through your mortgage company, when you sell your house, this arrangement becomes null and void and all taxes become payable. On the day of closing, the taxes will be adjusted and you will receive a credit corresponding to the number of days for which you are no longer in possession of your property.
- Worst case scenario: you finally bought your dream home, you moved in, only to discover later on that the Sellers provided improper tax information to their lawyer and are now unreachable. Fortunately, there is Title Insurance to come to the rescue. Title Insurance will likely cover the costs of the arrears then pursue the Sellers on your behalf.

Condo fees

- Similar to taxes, Condo fees are adjusted as per the number of days within a month that each party has/had possession of the property. If you received an invoice for unpaid condo fees, contact your lawyer as soon as possible and speak with your Condo Corp. management.
- If you move from your condo and notice that condo fees are still taken out of your account, please contact the Condo Corp to resolve the issue. They may ask for proof of the transfer of ownership - a short letter from your lawyer saying that you effectively moved on the said date should resolve the matter.