



**MILLER THOMSON**  
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January 6, 2017

Condominium Corporation No. 072 8880  
(o/a The Peaks of Eagle Ridge)  
136A Sandpiper Road  
Fort McMurray, AB T9K 0J7

**Roberto Noce, Q.C.**  
Direct Line: 780.429.9728  
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Attention: Unit Owner(s)

Dear Sir/Madam:

**Re: Condominium Corporation No. 072 8880 (o/a The Peaks of Eagle Ridge)  
Notice - Collection of Insurance Deductible from Responsible Unit Owner(s)**

This letter is being provided to you because of the high number of insured losses that have occurred recently at the Peaks of Eagle Ridge. Some of these losses were caused by flooding due to the improper actions/inactions of owners and/or their tenants. Where the amount of damage exceeds the Corporation's insurance deductible, the Corporation is obligated to pay the deductible and file an insurance claim. Accordingly, please take note that in such cases, the amount of the deductible will be charged back to the unit owner(s) responsible for the loss.

A unit owner will be deemed responsible for payment of the deductible if the loss was caused by some act/omission attributable to the unit owner, his/her tenant, guest, servant, invitee, etc., including but not limited to negligence, breaches of the Corporation's bylaws, and violations of the Corporation's rules and policies, such as the Approved Vendors list.

For your reference, Bylaw 46 contains the following provision:

46. (g) In the event an owner incurs or suffers damage or loss to the unit or to any interior finishing or improvements of the unit and/or the common property adjacent thereto that is covered or insured under any insurance policy of the Corporation such owner shall be responsible for and pay the full amount of any deductible on such claim and such amount shall be recoverable from such owner by the Corporation as a common expense.

The Corporation may charge the unit owner for the deductible amount, and that amount will be added to the owner's condominium fee account accruing interest at the interest rate until it is paid. The Corporation may notify the unit owner's mortgagee, register a caveat on the unit title, and ultimately file a foreclosure application with the court if payment and/or payment arrangements are not made within thirty (30) days of any due date specified. The defaulting unit owner will also be responsible for the Corporation's legal fees on a solicitor and his own client basis.

In addition, we wish to remind the owners that the *Condominium Property Act*, RSA 2000, c. C-22 and Regulations, make the Corporation's insurance policy subject to reasonable deductibles as may be agreed between the Board of Directors and the insurer. The deductibles payable on the policy of insurance maintained by the Corporation are standard for the industry.

Should you have any questions about the foregoing, please contact Property Management.

Sincerely,

THE BOARD OF DIRECTORS  
CONDOMINIUM CORPORATION NO. 072 8880 (O/A THE PEAKS OF EAGLE RIDGE)

Per:

Amanda Loveless  
Property Manager

c. All Unit Owners

