



June 1, 2009

To: All Residents
10 Yonge Street and 10 Queen's Quay West

Subject: Transfer of Cigarette Odours to Adjacent Suites and Common Area Corridors

More and more frequently, the Management Office is receiving complaints that the odour of cigarette smoke can be detected in the common area corridors and adjacent suites.

The Joint Board of Directors has been asked to address this important matter by concerned residents.

The Condominium Act specifically states that "no person shall permit a condition to exist or carry on an activity in a unit or on the common elements that is likely to damage the property or cause injury to one's health."

As such, residents who smoke are reminded that they have a duty and obligation to ensure that their activities are not in breach the Condominium Act. The Joint Board of Directors reminds smokers that **all necessary and reasonable steps** should be taken to deal with this issue.

Smoking should, therefore, be confined to rooms that are vented to the exterior of the condominium.

Exhaust fans should be utilized while smoking.

Where a resident refuses to cooperate in taking all reasonable steps to solve the problem of smoke transfer, the corporation may be obliged to instruct the resident to stop smoking in the suite. Currently, the Smoke Free Ontario Act prohibits smoking on any of the common elements. We thank you in advance for your kind consideration to other non-smoking residents.

Yours truly,

Brookfield Residential Services Ltd.
Acting for and on behalf of MTCC 979 and MTCC 989