

SAMPLE COMPLAINT LETTER

Requesting a condominium's board of directors to take steps to reduce or eliminate the problem of second-hand smoke

This sample letter is designed for residents who are suffering from second-hand smoke infiltrating their homes from neighbouring units and who want to write to the condominium corporation to take steps to resolve the problem.

In the absence of a no-smoking policy, residents have a right to smoke. However, this right is not absolute—especially if second-hand smoke is interfering with the health and well-being of other people in the building. Virtually all condominium corporations in Ontario have general rules prohibiting behaviour that creates a nuisance or hazard to another person. This can include smoking, regardless of whether or not the condominium corporation has a formal no-smoking policy in place. If someone's second-hand smoke is infiltrating neighbouring units on a frequent and on-going basis and causing an unreasonable disturbance, condominium boards of directors have the authority and responsibility to address these complaints.

However, whether or not a condominium corporation recognizes second-hand smoke as a nuisance will very much depend upon the exact wording of the rule relating to nuisance and is left up to the discretion of the board of directors to determine. It should also be noted that a 1988 Supreme Court of Ontario case on nuisance determined that "although the test of nuisance is generally whether the defendant's use of its land interfered with the beneficial use and enjoyment of the plaintiff's lands and whether that interference was unreasonable, there is authority for the proposition that where actual physical damage occurs, the interference is unreasonable."

Steps	Examples
<p>Describe the source and extent of the problem.</p> <p>Describe how often the smoke is coming in, where it comes from and be sure to emphasize that it is more than a temporary discomfort or inconvenience.</p> <p>Identify:</p> <ul style="list-style-type: none"> • When the problem first started; • How the smoke is entering your unit (i.e. through open patio doors); • Where the smoke is coming from (i.e. upstairs neighbour's balcony); • How often the smoke enters your unit on a daily or weekly basis. List dates, times and frequency of occurrence; • How much smoke is entering your unit. Does the smoke stay in one area or does it permeate other areas of your home? 	<p>Dear (president, condominium board of directors),</p> <p>Re: Second-hand smoke infiltrating my unit and causing an unreasonable nuisance</p> <p>I am an owner residing at (enter address).</p> <p>Unfortunately, I am currently faced with second-hand smoke coming into my unit from (enter the unit number if you know where the smoke is coming from). The smoke comes in through my daughter's bedroom window from the balcony upstairs, and also seems to be coming in through her closet. Although the odour is most pronounced in my daughter's bedroom, our whole home has started to smell like second-hand smoke. It is definitely worse in the evenings and weekends when our neighbour is home. It happens every single day without fail.</p> <p>(See attached log with the times and dates the smoke has entered my home.)</p>

Sample Letter To Condo Board Complaint

Roman Wölfel



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Whispering the Secrets of Language: An Mental Journey through **Sample Letter To Condo Board Complaint**

In a digitally-driven world where monitors reign supreme and immediate communication drowns out the subtleties of language, the profound secrets and emotional subtleties hidden within phrases usually get unheard. However, set within the pages of **Sample Letter To Condo Board Complaint** a interesting fictional prize pulsing with fresh thoughts, lies an exceptional quest waiting to be undertaken. Published by an experienced wordsmith, this marvelous opus invites visitors on an introspective journey, softly unraveling the veiled truths and profound affect resonating within the very cloth of each and every word. Within the emotional depths of the touching review, we will embark upon a sincere exploration of the book is core themes, dissect its fascinating publishing design, and fail to the strong resonance it evokes strong within the recesses of readers hearts.

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Table of Contents Sample Letter To Condo Board Complaint

1. Understanding the eBook Sample Letter To Condo Board Complaint
 - The Rise of Digital Reading Sample Letter To Condo Board Complaint
 - Advantages of eBooks Over Traditional Books
2. Identifying Sample Letter To Condo Board Complaint
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an Sample Letter To Condo Board Complaint
 - User-Friendly Interface
4. Exploring eBook Recommendations from Sample Letter To Condo Board Complaint
 - Personalized Recommendations

- Sample Letter To Condo Board Complaint User Reviews and Ratings
- Sample Letter To Condo Board Complaint and Bestseller Lists
- 5. Accessing Sample Letter To Condo Board Complaint Free and Paid eBooks
 - Sample Letter To Condo Board Complaint Public Domain eBooks
 - Sample Letter To Condo Board Complaint eBook Subscription Services
 - Sample Letter To Condo Board Complaint Budget-Friendly Options
- 6. Navigating Sample Letter To Condo Board Complaint eBook Formats
 - ePub, PDF, MOBI, and More
 - Sample Letter To Condo Board Complaint Compatibility with Devices
 - Sample Letter To Condo Board Complaint Enhanced eBook Features
- 7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of Sample Letter To Condo Board Complaint
 - Highlighting and Note-Taking Sample Letter To Condo Board Complaint
 - Interactive Elements Sample Letter To Condo Board Complaint
- 8. Staying Engaged with Sample Letter To Condo Board Complaint
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Sample Letter To Condo Board Complaint
- 9. Balancing eBooks and Physical Books Sample Letter To Condo Board Complaint
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection Sample Letter To Condo Board Complaint
- 10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
- 11. Cultivating a Reading Routine Sample Letter To Condo Board Complaint
 - Setting Reading Goals Sample Letter To Condo Board Complaint
 - Carving Out Dedicated Reading Time
- 12. Sourcing Reliable Information of Sample Letter To Condo Board Complaint
 - Fact-Checking eBook Content of Sample Letter To Condo Board Complaint

- Distinguishing Credible Sources

13. Promoting Lifelong Learning

- Utilizing eBooks for Skill Development
- Exploring Educational eBooks

14. Embracing eBook Trends

- Integration of Multimedia Elements
- Interactive and Gamified eBooks

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