
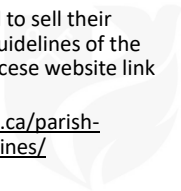



Property Management	
	<p>Rob Saffrey Executive Director</p> <p>Wendy Pearson Property Resources Coordinator</p>

1

Team	
<p>Wendy Pearson Property Resources Coordinator</p>	
<p>Dianne McIntyre Property Resources Assistant</p>	

2

<i>Growing in Christ</i>	
<ul style="list-style-type: none"> • Governance model (Canon 6) • Rectories – New Rectory Policy <ul style="list-style-type: none"> • A new Rectory Policy for the Sale and Replacement of Rectories came into effect on March 30, 2021 • Churches are now permitted to sell their rectories if they follow the guidelines of the new policy found on the Diocese website link below <p>https://www.toronto.anglican.ca/parish-administration/policies-guidelines/</p>	

3

Resources

<https://www.toronto.anglican.ca/parish-administration/parish-leadership/>

<https://www.toronto.anglican.ca/churchwarden-resources/>

- Parish Leaders' Manual
- Archives Department (@ the Diocesan Centre)
- Ecclesiastical LegalConnex Service (1-866-263-0256)




4

Resources

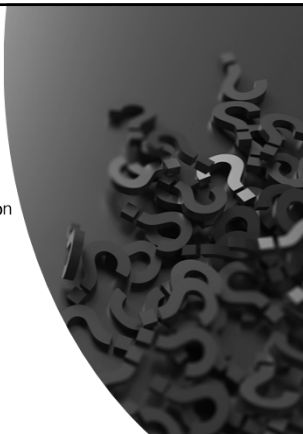
- Landlord & Tenant Board (www.LTB.gov.on.ca)
- Aon Reed Stenhouse Inc. (insurance broker)
- Canada Revenue Agency ("CRA")
- The Legal Guide for Canadian Churches, Blaikie & Ginn - Novalis 2006 (www.novalis.ca)




5

Questions

1. Who has corporate signing authority in your congregation for real property matters?
2. Who is the registered owner of parish property?
3. What property-related documents should a congregation always have on hand?

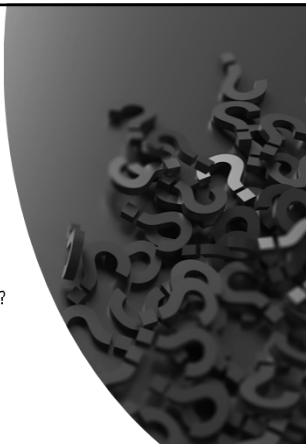


6

Questions

4. What real property responsibilities/obligations are the most challenging to your congregation?


- a) How would you suggest that those be addressed?
- b) Ideally, what additional support would be most helpful?



7

Current Legal Framework


- *“The Church Temporalities Act”*, given Royal Assent on December 3, 1841, and as later enacted pursuant to *“An Act respecting Churchwardens in the Diocese of Toronto”*
- *Anglican Church of Canada Act (Ontario)* S.O. (1979) c.46



8

Current Legal Framework


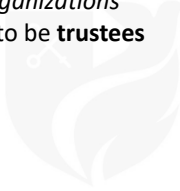
- *Religious Organizations’ Lands Act (Ontario)* R.S.O. (1990) c. R.23
- *The Constitution & Canons* (i.e. ‘by-laws’) <https://www.toronto.anglican.ca/churchwarden-resources/constitution-and-canons/>



9

Anglican Church of Canada Act (Ontario) S.O.(1979) c. 46


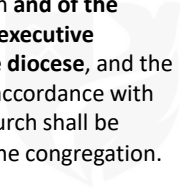
1.-(2) The parson or other incumbent of the church for the time being and the churchwardens thereof shall, for the purposes of *The Religious Organizations' Lands Act, 1979* be deemed to be **trustees** within the meaning thereof.

10

Anglican Church of Canada Act (Ontario) S.O.(1979) c. 46

2.-(1) Land shall not be sold or leased, mortgaged or otherwise encumbered under the powers conferred by *The Religious Organizations' Lands Act, 1979* except with the **consent of the vestry** of the church or congregation interested therein **and of the bishop** of the diocese **and the executive committee of the synod of the diocese**, and the consent of the vestry given in accordance with the rules and canons of the church shall be deemed to be the consent of the congregation.






11

Canon 6

The following **ALL** require permission from Diocesan Council:

- 1. Purchases & Transfers** (*i.e.* sale, severance)
- 2. Building or Structural Alterations** (requiring a Building Permit)
- 3. Mortgages &/or Encumbrances**

12

Canon 6 (cont'd)

The following ALL require permission from Diocesan Council:

- 4. **Loans/financial obligations**
(“not expected to be liquidated within one (1) year”)
- 5. **License Agreements***
- 6. **Lease Agreements** (both Residential* & Commercial)



* Templates provided for use

13

‘Procedure Pursuant to Canon 6’

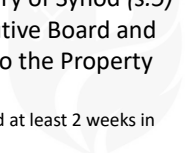
- **Executive Board (Canon 3) and Trusts Committee (Canon 5):**
 - Each make a recommendation to Diocesan Council (Canon 2) (*monthly meeting cycle*)



14

‘Procedure Pursuant to Canon 6’

- **Licenses, Leases, Purchases, Sales, and Loans:**
 - Area Bishop support (*s.1*)
 - Vestry support (*s.2; see templates*)
 - Materials for Executive Board **only** items to be sent to the Secretary of Synod (*s.5*)
 - Materials for **Joint** Executive Board and Trusts Committee send to the Property Resources Coordinator.
- Documentation must be received at least 2 weeks in advance of the meeting date



15

'Procedure Pursuant to Canon 6'

- **Building OR Structural Alterations (s. 5.3):**
 - Project Review Committee ("PRC") – due diligence report to Executive Board *
 - Two-phased approval ('in principle' & 'final approval') *
- * For significant capital improvement projects requiring Building Permits.

<https://www.toronto.anglican.ca/churchwarden-resources/constitution-and-canon/> see Canon 6 subsection 3: (a) and (b)

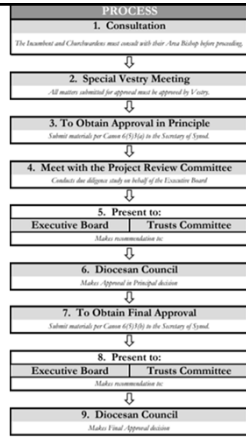


16

Canon 6 Flowchart

- For large projects requiring building permits

<https://www.toronto.anglican.ca/parish-administration/property-resources/church-property/>



17

Executive Board & Trusts Committee

Items that go before both bodies:

- Purchases and Sales
- Building or Structural Alterations
- Mortgages and/or Encumbrances
- Loans/Financial Obligations (not expected to be liquidated within ?)

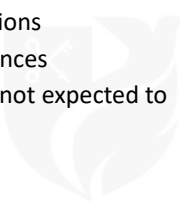



18

Executive Board & Trusts Committee

Items that go before both bodies:



- Purchases and Sales
- Building or Structural Alterations
- Mortgages and/or Encumbrances
- Loans/Financial Obligations (not expected to be liquidated within **1 year**)

19

Executive Board vs. Trusts Committee

<p>Executive Board</p> <ul style="list-style-type: none"> • Allotment Appeals • Debt Forgiveness • Appointment of Administrator • Ministry Allocation Fund Grant requests 	<p>Trusts Committee</p> <ul style="list-style-type: none"> • Lease Agreements • License Agreements • Heritage Designation • Certain Grants <ul style="list-style-type: none"> • Baker Fund, Carleton Fund, Ferguson Trust
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20

Introduction to Revised Canon 6 Approval Procedure


CANON 6 – REVISED APPROVALS PROCEDURE

Introduction:

1. Using the chart below, first identify the **Type** of property matter that you are pursuing (i.e. License Agreement).
2. Within the Type, identify the appropriate **Category** (i.e. Low Risk License Agreement).
3. Based on the Type & Category, identify whether the matter is eligible for the **Simplified Canon 6 Procedure** (S) whether the request must follow the **Full Canon 6 Procedure**.
4. If eligible for the **Simplified Canon 6 Procedure**, then:
 - a. Print a copy of the applicable Checklist & Attestation (there are 3 different color-coded forms: (S) License, (M) Litigation - Yellow (H) Renovations (pending less than \$75,000) (H) Other
 - b. Complete all of the due diligence items by marking (X) next to each item.
 - c. The Incumbent or Priest-in-Charge, and both Churchwardens, must sign the Checklist & Attestation.
 - d. E-mail copies of the completed and signed Checklist & Attestation to: canon6@dioceseofcleveland.org
 - e. Once submitted you may proceed; requests are reported for approval to the Trusts Committee & Diocesan Council on a quarterly basis (i.e. March, June, September, December).
 - f. Please e-mail copies of all fully signed Licenses & Lease Agreements, Certificates of Insurance, and renovation documentation to: canon6@dioceseofcleveland.org
5. If the **Full Canon 6 Procedure** applies, please refer to the relevant section of the Procedure Pursuant to Canon 6 as Prescribed by the Diocesan Council. For these forms, canon6@dioceseofcleveland.org is approved by the Diocesan Council before submission, available at www.dioceseofcleveland.org.

Type	Category	Examples	Simplified Canon 6 Procedure applies (Checklist & Attestation)	Full Canon 6 Procedure applies (Procedure outline in brackets below)	Minimum Commercial General Liability ("CGL") Insurance Requirements
License Agreements	Low Risk	No minors or vulnerable adults on church property (i.e. Athletics, Anonymous, Narcotics, Anonymous, Book Clubs, Meeting Groups, etc.)	✓ appropriate	N/A	CGL Per Occurrence \$5 million Tenant's Legal Liability (TLL) \$250,000 Additional Insureds The Incumbent and Churchwardens of, diocesan parish names (S) The Incorporated Benefit of the Diocese of Cleveland
	High Risk	Any minor or vulnerable adults on church property, i.e.	N/A	✓	CGL Per Occurrence \$5 million Tenant's Legal Liability (TLL) \$250,000 Additional Insureds The Incumbent and Churchwardens of, diocesan parish

Page 3 of 8



21

Revised Canon 6 Approval Procedure

Building Permit and hard construction cost GREATER than \$75,000:

- Requests must receive “Approval in Principle” and/or “Final Approval” as per the Procedure Pursuant to Canon 6 before project start.

<https://www.toronto.anglican.ca/parish-administration/property-resources/church-property/>




22

Revised Canon 6 Approval Procedure

Simplified Canon 6 procedure for certain low-risk items.
Building Permit and hard construction cost LESS than \$75,000:

- Simplified Canon 6 Procedure applies - **GREEN** Checklist & Attestation.
 - Complete all due diligence items, email a fully completed and signed Checklist to Diocesan Centre.
 - Once a fully completed and signed Checklist is submitted, parish may proceed with project.



Send signed Checklists to: canon6@toronto.anglican.ca




23

Introduction to Revised Canon 6 Approval Procedure

Loans “not expected to be liquidated in one (1) year” must still be approved in advance by Diocesan Council, per the Procedure Pursuant to Canon 6.





24

Introduction to Revised Canon 6 Approval Procedure

Simplified Canon 6 procedure for certain low-risk items:
 License Agreements and parking space rentals
 - **RED** Checklist & Attestation

- Complete all due diligence items, email a fully completed and signed Checklist to the Diocesan Centre.






25

Introduction to Revised Canon 6 Approval Procedure

Simplified Canon 6 procedure for certain low-risk items:
 Lease Agreements (Residential Tenancies) -
YELLOW Checklist & Attestation

- Complete all due diligence items, email a fully completed and signed Checklist to the Diocesan Centre.

26

Insurance	
	<p>Rob Saffrey Executive Director</p>

27

Let's see if you were paying attention!

Who is our insurance broker?

28

AON

Let's see if you were paying attention!

Who is our insurance broker?

29

Insurance Program Service Team

General Inquiries

- Certificates of Insurance
- Policy Information
- Billing information

Material Changes Reporting

- Newly Vacant Property
- New Church-Run Day Care
- New Parish Nurse
- Handling of Human Remains
- Planned Renovations and/or Construction Over \$1,000,000

Contact	Phone	Email
Shawna Whitmell Associate Account Executive	416-868-5697	shawna.whitmell1@aon.ca
Daniel Winstanley Senior Vice President	416-941-6619	daniel.winstanley@aon.ca

30

Church Facility User Group Insurance


- Quote and purchase at www.anglican-user.aon.ca. Help at church.certs@aon.ca.
- Proof of insurance requirements for church facility users that already have insurance:
<https://www.toronto.anglican.ca/parish-administration/finance/insurance/>



31

Where to Report Claims

Type of Claim	Phone or Fax	Email
Property	416-484-3970	claimsservices@eccles-ins.com
After hours property claims	Phone 1-888-693-2253 Fax 416-484-6352	claimsservices@eccles-ins.com
Abuse Liability	416-363-6021 ext. 251	Robert Saffrey, Executive Director rsaffrey@toronto.anglican.ca
All other claims	416-868-5683	Tanya N. Ketterer Senior Claims Consultant tanya.ketterer@aon.ca



32

Risk Management Information

- Risk Control Guidelines and Checklists
- Arson Prevention
- Fire Protection System Impairment
- Slip and Falls
- Winter Hazards
- Frozen Pipes

<https://www.toronto.anglican.ca/parish-administration/finance/insurance/>




33

<p>Q&A Session</p> <hr/>	
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34