



National Outlook

President's Message

by Vince Brescia

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My first task as the new President of CFAA is the easiest; thanking Al Kemp for all he has done on behalf of our industry in one short year as President of this organization. We are all in debt to Al for his commitment to further the objectives of our organization and our industry.

Al already had his hands full running a thriving provincial association. In spite of this, he oversaw the largest federal government relations push this industry has made yet for tax fairness for our industry. This included presentations to the Standing Committee on Finance, meetings across the country with key Ministers and MP's, meetings with the Minister of Finance and the Prime Minister's policy staff, a recommendation that our issues be examined and addressed in the Prime Minister's Urban Caucus Task Force.

In addition, he recruited Tonya Moreton to help the CFAA get better organized, a move which has proven to be very astute on Al's part. He accomplished all this and more with his usual good-natured manner, making it a pleasure for all of us in the process. On behalf of all of us, thanks Al.

Looking ahead, we have much work to do, and some cause for optimism. First, a review of the key issues facing us:

Taxation:

Our industry remains unfairly taxed when compared to other industries in Canada. On top of our federal tax system's heavy bias towards home ownership, the government charges us twice for the GST, does not let us roll-over capi-

tal gains and depreciation back into our businesses, does not factor out inflation from our capital gains, in spite of the often very long holding period for our assets, and does not consider us to be an active business.

Programs:

On the program side, the federal government continues to put funds into bricks and mortar – capital funding, in spite of growing evidence that there is no need for government intervention on the supply side. CMHC's own data show affordability problems in Canada to be income based. Yet CMHC insists that the only response to affordability concerns will be to put money into bricks and mortar. This persists even in the face of an abundant supply of housing right across the country, and extensive academic evidence that supply side subsidies are more expensive and less efficient than demand side assistance.

Regulation:

The CRTC is continuing in telecommunications where it left off with cable, raising the spectre of mandatory access. Mandatory access comes at the expense of the property rights of owners – their ability to control who has access to their property and when, and their ability to be compensated by those who wish to use their property.

While we have issues, there are opportunities. There will soon be a new regime in place at the federal level. A new Prime Minister, probably a new Finance Minister, and a new Cabinet. Our industry needs to step forward and begin the process of educating the new government on the issues noted above, and our industry's viewpoint. This will be CFAA's focus in the coming year.

The following companies are proud supporters of the CFAA/FCAPI.

Wherever possible, show them your appreciation by utilizing their products and services.

Thank you....

CMHC Provides Opportunities With New Rental Refinance Program

by Peter Cook

CMHC has recently introduced new rental refinance policies that will enhance their existing programs and create additional value for multi-unit owners. The new policies are designed to

offer greater flexibility for borrowers who in the past had to access the conventional mortgage market at a higher cost.

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Finance Committee Update:

At the request of the CFAA board of directors, the Finance Committee is currently engaged in an analysis of the financial requirements for the CFAA to maintain an effective, consistent voice in Ottawa for apartment owners.

We expect to combine this analysis with a survey of efficient and equitable methods of fund raising, and ultimately develop a new and exciting financial plan that will benefit all our members and our member's members.

-David McIlveen
Committee Chair

"CMHC's innovation and insight meets the increasing demands of the rental housing industry...it would appear to be an ideal time to take advantage of the new programs and consider refinancing rental properties."

- Peter Cook is the Assistant Vice President of First National Financial Corporation and has over 20 years of experience in the mortgage lending industry. Peter can be reached at 416-593-2913 or 1-800-465-0039.

Real Estate Conference at Sea!

B.C. Apartment Owners and Managers Association, Institute of Real Estate Management Association, British Columbia Chapter #50 and Building Owners and Managers Association have joined together to launch the "Real Estate Conference at Sea", May 12 to May 19, 2004.

Join us for a cruise along the inside passage, the longest sheltered inland waterway in the world and back to Vancouver. With stops in Juneau, Glacier Bay, Skagway and Ketchikan, you will experience the highlights of Alaska.

Our conference will bring together keynote speakers such as Michael Campbell, renowned financial guru and host of the CKNW radio program "Money Talks" and Helmut Pastrick, Chief Economist, Central Credit Union of B.C. We will also hold valuable educational seminars on key topics related to the real estate industry, trades shows, cocktail parties and excellent opportunities for networking with your colleagues in the real estate in-

CMHC Cont'd

The new rental refinance program will allow borrowers to take equity out of their properties to 85% loan to value on a first mortgage and 75% loan to value on a second mortgage without CMHC restricting the use of funds. Previously, the program limited borrowers to payout existing registered debt, finance future capital improvement or acquire residential real estate. The purpose of the equity takeout will be a consideration when assessing applications under the new guidelines, however, CMHC will not have a specified list of permitted or prohibited use of funds.

The new second mortgage program will allow borrowers to finance their properties, up to 75% loan to value, and avoid costly pre-payment penalties. Borrowers may obtain second mortgage financing from an approved CMHC lender regardless of who financed the original mortgage. The maturity date of the second is required to match the renewal of the existing first mortgage, at which time they are combined into one CMHC insured first mortgage. Available interest rates will be similar or slightly higher compared to market interest rates that are obtained on first mortgages. It is not a requirement that the existing first mortgage be CMHC insured to qualify for this program.

Borrowers refinancing existing CMHC insured loans will receive partial credits for previously paid premiums. The credits range from 20% to 75% of the original paid premium provided the new refinancing occurs within seven years of the date the initial mortgage was advanced. The new premium payable will be the full applicable premium payable on the refinanced loan amount minus the credit. Borrowers will have the option to

dusty.

We have 150 rooms booked on board the Carnival Spirit (visit the website at www.carnival.com). All the remaining rooms on this luxury liner are already sold out! Approximately 20 trades and suppliers have been invited to participate as sponsors of the Real Estate Conference at Sea. We will enjoy private facilities for our seminars and events-while enjoying all of the wonderful venues this ship has to offer.

The Real Estate Conference at Sea has been able to secure amazing pricing for this cruise! Don't delay, sign up today and reserve the room of your choice by putting down a refundable deposit. Send in your registration form as quickly as possible and we will take care of the rest!

Contact Lynda Pasacreta, BCAOMA at questions@bcaoma.com or phone our toll free number at 1-877-700-9440 to register or for more information.

Do not delay, the cruise is almost sold out!

waive the credit and elect to pay the premium only on the new borrowed funds if the current loan to value is less than or equal to 65%.

CMHC has waived the rental achievement holdback requirement on construction and capital improvement loans. Previously, CMHC required that a portion of the mortgage proceeds be held back until cash flows had stabilized for a 12-month period. Borrowers will have the option of waiving the stabilizing cash flow period subject to an additional premium surcharge of 0.25% of the loan amount. Benefits to borrowers include access to their full loan amount earlier, the associated interest cost savings and greater flexibility in the project development.

Bonding for contractors and sub-trades has been waived for new construction projects of 24 units or less. Bonding may be waived on projects 25-50 units if construction risk is low or replaced by an acceptable alternative.

Amortization periods can now be extended up to 40 years with a 0.25% premium surcharge for each five-year increment beyond 25 years. Longer amortization periods may reduce the equity requirement on new rental construction projects and assist builders to obtain larger loans.

CMHC's innovation and insight meets the increasing demands of the rental housing industry. With the current low interest rate market and the requirement for re-investment in the apartment sector, it would appear to be an ideal time to take advantage of the new programs and consider refinancing rental properties.

CRTC Telecom Update

By Lynda Pasacreta

After discussions with key people on the CRTC Telecom decision—including Michael Brooks, Executive Director of CIPPREC—CIPPREC and BOMA (Canada) appealed parts of the decision claiming jurisdiction over private property prior to the filing date of July 30, 2003. They won Leave to Appeal the CRTC decision on September 8th with the Federal Court of Appeal. The Appeal itself will not be heard until sometime late spring or summer of 2004.

CIPPREC and BOMA (Canada) were seeking modest support from the CFAA-FCAPI, which would provide in return consultation with regard to future decisions on the appeal, information sharing and copies of their research, etc.

The CFAA-FCAPI then spoke to Ken Engelhart, Vice President, Regulatory, and he felt that there was no advantage in sending the CRTC a letter to back off on the access issue, but rather that it would be better to let matters proceed through the appeal process via involvement with the CIPPREC and BOMA (Canada) appeal. Ken advised that the CISC committee (CRTC steering committee on communications) is now dealing with creating a

standard form of access agreement.

CIPPREC, BOMA and many of the carriers are on the CISC committee. Patt Labatiuk, Chair of the CISC committee, is in Vancouver and we will be pursuing joining the committee as there should be representation from the residential rental market.

The carriers were initially taking the position that BOMA and CIPPREC might have difficulty reaching consensus on how the standard form of agreement should be developed and believed that they should have a "carrier only" meeting to write this agreement for presentation to the CISC committee, but after discussion with Ken Engelhart, they agreed to have all parties included in the development of the standard form of agreement.

They began with a term sheet with bullet points only, which would identify the key terms that should be in the agreement and areas that each side may disagree with.

Since then, only two conference calls have occurred with the full committee present so our timing is excellent for the CFAA-FCAPI joining this committee.

Privacy Commission Addresses Fair Information Practices for the Industry

By John Dobrowolski, President & CEO Rent Check Credit Bureau

Rent Check, major stakeholders and housing industry representatives have once again shown that rare ability to come together and participate in an effort to obtain important information for industry compliance with new upcoming privacy legislation, the Personal Information Protection and Electronic Documents Act, (PIPEDA). Coming into force on January 1, 2004, this timely endeavor made it possible to receive answers to several crucial questions about compliance that could not have been accomplished without the following interested parties and participants.

Multiple Dwelling Standards Association (MDSA), Greater Toronto Apartment Association (GTAA), Joe Hoffer, Lawyer. Cohen & Highley LLP, Lawyers, John Dickie, Dickie & Lyman Lawyers LLP, Eastern Ontario Landlord's Organization (EOLO), Joy Overtveld, Lawyer, Ottawa Region Landlord's Association (ORLA), Canadian Federation of Apartment Associations (CFAA), Rent Check Credit Bureau (RCCB), Ontario Non-Profit Housing, Association (ONPHA), Fair Rental Policy Organization (FRPO), Ottawa Real Estate Board (OREB), as well as the British Columbia Non-Profit Association (BCNPHA), Co-operative Housing Federation of Toronto (CHFT), Saskatchewan Rental Housing Industry Association

Inc. (SRHIA), and the Edmonton Apartment Association (EAA).

Throughout the meeting, it should be noted that the Industry's compliance to the principles and safeguards of the PIPEDA, was the subject of our discussions. The intention to deal with only issues for private, non-profit and co-operative housing providers was successful.

Ten Principles of Compliance:

An organization is responsible for the protection of personal information and the fair handling of it at all times, throughout the organization and in dealings with third parties. Care in collecting, using and disclosing personal information is essential to continued consumer confidence and good will. Private sector organizations must follow a code for the protection of personal information, which is included in the Act as Schedule 1. The 10 principles that business must follow are:

1. Accountability
2. Identifying Purposes
3. Consent
4. Limiting Collection
5. Limiting use, disclosure and retention

(Continued on page 4)

Developing Compliance:

The topics addressed pertain to Part 1 of the PIPEDA and do not include detailed aspects of the ten principles private organizations will have to comply with come January 1, 2004.

Understanding the Act's compliance for your organization can best be started with purchasing a plain language book on the PIPEDA. Heather Black, then Legal Counsel to the Office of the Privacy Commissioner, kindly arranged for the Office's consent to publish the Office of the Privacy Commissioner's Guide in Appendix E, at page 225 of the book, which is easier to understand.

Where to acquire the book can be found in the PIPEDA Information Sources section

The merger of the Manufactured Home Park Owners' Association of BC and the Alliance of BC Mobile Home Park Owners has recently been completed, and now British Columbia has one unified voice speaking for its Manufactured Home Park Owners.

The new organization, called Manufactured Home Park Owners' Alliance of British Columbia, represents over 330 park owners in the province.

Their website is www.mhpo.com

New Member Category

The CFAA-FCAPI now has a new member category aimed at suppliers.

Our supplier membership is open to all companies who provide products and services with the residential rental property industry.

For more information about joining the CFAA-FCAPI and to obtain a membership information package, please visit our website at www.cfaa-fcapi.org or the office at 204-444-4832 /cfaa@mts.net.

Following closely behind British Columbia, Alberta is the next province in line to have a new, re-written Residential Tenancies Act, which is scheduled to be proclaimed into law sometime in 2004.

The 10 principles that business must follow for PIPEDA compliance are:

1. Accountability
2. Identifying Purposes
3. Consent
4. Limiting Collection
5. Limiting use, disclosure and retention
6. Accuracy
7. Safeguards
8. Openness
9. Individual Access
10. Challenging compliance

Municipalities Review Services and Taxes***Reviewing Calgary's Water & Wastewater Service Rates***

By Gillian Skeates, Financial and Rates Analyst with The City of Calgary Waterworks & Wastewater. Excerpt provided by CAA.

The City of Calgary is currently reviewing the rates charged for water and wastewater service as part of a cost of service study. The study will consider things like changes in types of customers and their usage patterns, operational demands and other factors that impact the cost of delivering service. The result is that customers know the rates they pay accurately reflect the actual costs of providing water and wastewater service.

Currently, apartment buildings and other multi-family dwellings are charged rates in what is called the "general service" rate category, which includes all commercial and industrial customers. The cost of service study recommends that a new category for multi-family customers be created. The justification is that the characteristics of water consumption and wastewater discharge from these properties are more similar to the residential metered segment than they are to the general service segment.

If the study is approved by Council, in November 2003, the next important step will be consultation with customers. In May 2004, the utilities will report back to Council, outline the results of the customer consultation and propose an implementation plan for the cost of service rates. Proposed rate changes as a result of the cost of service study that apply to multi-family customers will not be implemented until Council is satisfied with the customer engagement and the implementation plan that is developed. The earliest that multi-family customers might see changes in their rates as a result of cost of service would be after Council in May 2004, but more likely in January 2005.

The rate changes are being proposed to Council to ensure that rates for services remain fair and equi-

table for all customer classes. These rate changes have no impact on the utilities' overall revenues and are the best way for the utilities to balance the needs of customers with City Council's mandate.

Winnipeggers Tell Mayor "No Deal" On His "New Deal for Taxes"

By Tonya Moreton, Executive Director, PPMA

Over the course of the past several weeks, Mayor Glen Murray has been conducting open house meetings in communities across Winnipeg to get feedback on his proposed tax legislation that would see a shift from property taxes to user pay fees.

While the Mayor had expected a warm reception to his "New Deal", he faced stiff opposition to the bevy of proposed new user fees and taxes, including a hike in the provincial sales tax to 8%, that would see the average tax bill increase, instead of decrease as promised, especially among low to middle income families.

In an effort to win support from the more than 130,000 renters in the City, the Mayor promised renters they would see an immediate decrease in their monthly rent. However, as the new user fees and taxes would be considered capitol costs, most renters would see their rents increase within a year as property owners and managers made application for increases above the guideline to pass through the new user fees and taxes to the renter, as allowed under the Manitoba Residential Tenancies Act.

While the Premier of Manitoba, Gary Doer, abstained from showing support or opposition to the "New Deal" until all community meetings were held—preferring to cite his spring election promise of not raising taxes—once it was defeated in the public forum and the province rejected the 1% PST hike, he said it was a valuable exercise in understanding what the public wants.

Compliance Cont'd

Overall, we were impressed with the Commission's understanding of the various social and private Housing Industry models and found it refreshing. The topics discussed were broad enough to represent the major areas of concerns, but do not encompass the full extent of the requirements for business compliance to the ten

principles.

We recommend the publication found below to fully comprehend your responsibilities under the PIPEDA.

The following contacts will help answer specific queries for information with regard to the PIPEDA.

The Privacy Commission of Canada
112 Kent Street
Ottawa ON K1A 1H3
Telephone: 1-613-995-8210

Toll-free: 1-800-282-1376

Fax: 1-613-947-6850

Website: www.privcom.gc.ca

Email: info@privcom.gc.ca

Torys website:

www.torys.com

The book, The Personal Information Protection and Electronic Documents Act, (PIPEDA) A Comprehensive Guide; <http://www.canadalawbook.ca/catalogue.cfm?DSP=Detail&ProductID=602&CategoryID=30>

Introducing Shaw on Demand

You can now experience an exciting, groundbreaking technology that will alter your whole approach to TV viewing. Shaw On Demand, a video-on-demand service that is the first of its in North America, is now available—and it's already impacting how we watch TV. Peter Bissonnette, President of Shaw Communications, says this revolutionary service combines the power and flexibility of the Internet with the benefits of digital cable technology.

GREAT NEW TECHNOLOGY

Peter Bissonnette, President of Shaw Communications, takes a moment to answer your questions about Shaw On Demand, and how this new technology is changing the way we watch TV.

Q: What is Shaw On Demand?

PB: Shaw On Demand is a great new service that we refer to as Video-On-Demand, and it's the first example of two technologies converging together, specifically the Internet and television. Shaw On Demand is not available with Phone or satellite companies - **it's only available for Shaw Digital and Internet customers.** Shaw On De-

mand allows viewers to use the Internet to order special programming like movies, music videos, kids' shows and adult material to play on your TV. It's incredibly convenient because it's accessible 24 hours a day, is competitively priced and it offers VCR/DVD-like features of pause, rewind and fast-forward. That means you can watch what you want, when you want, and as many times as you want. Best of all you only pay for what you watch.

Q: How does Shaw On Demand Work?

PB: To access Shaw On Demand you need to have a Shaw Digital and Shaw Internet connection. That's it! When you log on to ShawOnDemand.ca you can scroll through the online entertainment library, choose what you'd like to watch, then place your order. You then have 24 hours to watch your selection as many times as you'd like.

COMPARABLE IN PRICE, INCOMPARABLE IN QUALITY!

Q: What does Shaw On Demand cost?

A: The service itself is free, it's a feature that

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Implementing a Customer Loyalty Program for Your Tenants

By Lynda Pasacreta, BC AOMA

The bad news is that higher than average vacancy rates will continue into 2004. The good news is that you can implement some strategies to keep your good tenants and keep your suites full. Interest rates will remain low thus encouraging some tenants to make their first home purchase.

Implementing and maintaining a *Customer Loyalty Program* in your rental properties will not only differentiate your properties from others in the market, but will also impact your bottom line.

Your starting point on developing a *Customer Loyalty Program* for use in retaining good tenants, is to hire the right staff (resident managers). In today's market, resident managers need excellent *communication, customer service and listening skills*. Look for potential

employees that have wonderful attitudes and enjoy being around people. Your tenants will be less inclined to leave if you have the right employees in place and offer *top-notch* customer service.

Involve your resident managers right from the beginning. Empower them to provide suggestions, involve them in brainstorming sessions and recognize and reward them for service excellence. Demonstrate your enthusiasm with 100% support for this program, which will reflect through to your resident managers.

Provide the right tools your resident managers need - *through training and motivation* - to apply and use the techniques required to build and maintain your *Customer Loyalty Program*. B.C. Apartment Owners and Managers Association offers sales and marketing training to rental property owners/property managers and their staff. A key element in the sales training is

'customer retention', keeping your good tenants. It costs at least five times as much to generate a new customer (tenant) than to keep your existing tenant.

Develop some fun ideas on 'servicing' your tenants such as: rewarding a loyal tenant with a free in-suite professional cleaning service; hold a car wash where the property manager/owner comes in and washes cars for an afternoon; hold an annual barbecue for all of the residents (have your trades people contribute the supplies and prizes); or arrange an educational seminar through the local fire department on fire safety.

Lynda Pasacreta, CEO
B.C. Apartment Owners and Managers Association

For further information on B.C. Apartment Owners and Managers Association, visit www.bcapartmentowners.com or telephone 604.733.9440

4 Steps to Developing PIPEDA Compliance:

Step one starts with defining your collection purposes.

Step two is to define the uses you will put the collected information to. Once personal information leaves your organization you become liable for its collection purposes, and uses by the third party.

Step three disclosure, may be the most important since you lose control unless after exercising due diligence you have assurances that the third party is compliant, and follows the rules.

Step four is making electronic documents and websites secure where such personal information resides on an information database system like Property Management software, internal management applications, at a third party, or the internet while transferring data.

The preceding steps would also be part of the privacy policy that a third party would implement during its compliance development.

We encourage all Housing Providers to strive to adopt the above when designing your Privacy Policies.

For advertising opportunities in this publication, please contact the CFAA-FCAPI office at 204-444-4832 or via e-mail at cfaa@mts.net

Shaw on Demand Cont'd

comes with being a Shaw Digital and Internet customer. The entertainment choices are competitively priced starting at \$0.49 for a 24-hour period. Try out our free content to see how it works. When you place your order, the charge will be conveniently added to your account.

Q: What are the advantages to using Shaw On Demand?

PB: There are several benefits including:

- ⇒ Convenience - it's always accessible, 24-hours a day;
- ⇒ Pause, rewind and fast-forward your program selection, all from your remote control;
- ⇒ Eliminate trips to the video store and never pay late fees;
- ⇒ Watch a program as often as you like within a 24-hour time period; and
- ⇒ Parental controls—ensure your children see only what you want them to see.

SOMETHING FOR EVERYONE

Q: What kind of programming can I access with Shaw On Demand?

PB: A wide selection of movies, music videos, TV series and adult entertainment are available through Shaw On Demand. Some of the big names that can currently be viewed are Lord of the Rings: Two Towers, Daredevil and Gangs of New York. Of course a number of music videos are also available, and interesting one-on-one conversations with superstars like Toby Keith and Lonestar.

Q: Can I access all of this through the Shaw On Demand Website?

PB: Yes! Once you log on to ShawOnDemand.ca, you can search the online entertainment library by actor, title, genre, new releases, top 10 movies or even by the production studio. If you want to know what's on the horizon, just click on Coming Soon and see what's coming down the pipe for hot new releases. If there's something you like, ask Shaw's Customer Service department to send a reminder e-mail when the movie is released. You'll receive an e-mail as soon as the movie is available

in Shaw's entertainment library. It's like having your own personal planner, but better—it's your decision whether to order the movie and you decide when you want to watch it.

Q: How often will the selections change?

PB: Regularly. The library is always being refreshed and the number of studios we're working with is continuously growing. In fact, Shaw On Demand is similar to a theatre. Our online library will feature titles as soon as the studio releases them to us and we'll make them available until the studio replaces them with something else.

IT'S AS EASY AS 1-2-3!

Q: How do I order Shaw On Demand entertainment?

PB: Ordering is easy. Simply visit ShawOnDemand.ca and login using your e-mail and password. Select the program you want to watch, click the confirm order button and your entertainment selection will begin to play immediately on your television set.

Q: If Shaw On Demand is so easy to use, can my children order programs I don't want them to see?

PB: No, because you can set parental controls, based on the movie category or TV series. When your children log on to Shaw On Demand, programs with unsuitable ratings won't even appear on the selection list. You have control.

Q: Does the Shaw On Demand website provide any content information, other than the titles?

PB: Yes. Just click on the movie you're interested in and read a synopsis of the movie or watch the trailer online. Check out the list of actors, the production studio (and other movies the studio has released), name of the director, running time, release date, critic rating and the movie rating (I.e. PG, 14A, 18A, R, etc.).

Q: After I've ordered a movie, is the Internet still accessible, and do I have to leave it on?

PB: Your internet connection is free to

use after you've ordered a movie, and no, the computer doesn't have to be on while the movie is running. That's all part of making Shaw On Demand as convenient and easy to use as possible.

PREPARE TO BE ENTERTAINED

Movie Central EXPRESS is an exciting new subscription video-on-demand service offered exclusively to Shaw Digital and Internet customers. Movie Central EXPRESS gives you access to a selection of Movie Central programming and more.

- ⇒ Enjoy DVD-like features of pause, rewind and fast-forward;
- ⇒ Experience the freedom of watching what you want when you want in a 30-day period; and
- ⇒ With Movie Central EXPRESS you decide when the show starts and you control the action!

With Shaw Digital Bundles you can access over 200 channels of entertainment, including 40 channels of uninterrupted digital music, Pay Per View movies and exclusive events. Plus access Shaw High-Speed Internet's always on, secure and reliable Internet connection that's up to 100 times faster than dial-up. The more you add to your entertainment bundle, the more you save.

THE ULTIMATE ENTERTAINMENT SOLUTION!

The Total Home Bundle is the ultimate entertainment experience for the greatest value. Experience the quickness of Shaw High-Speed Internet, the thrills of Shaw Digital Cable and access Shaw On Demand content, Pay Per View movies, special events, 4 US superstations and 40 channels of unique, diverse, commercial free music—PLUS hundreds of hours of movies every month from Movie Central.

For more information call 1-888-472-2222 or visit shaw.ca today.

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ASSOCIATIONS DE PROPRIÉTAIRES
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