



# **ASSOCIATION OF ONTARIO LAND ECONOMISTS**

## **(Incorporated in Ontario)**

### **HISTORY OF THE ASSOCIATION**

The profession of land economy, as provided for in the original by-laws enacted April 18<sup>th</sup>, 1963, is concerned with the administration of the land resources of communities and concerns of individuals with a view to the efficient allocation, use or disposition of such resources. With the evolution of the discipline and profession of land economy and the maturation of relationships with other disciplines in the Province of Ontario, a more broad based articulation of the profession is warranted. Accordingly, the profession of land economy encompasses those disciplines and expertise which embrace an interest in the efficient allocation, planning, design, use and disposition of land and buildings.

Letters Patent incorporating the Association of Ontario Land Economists took effect on March 20<sup>th</sup>, 1963. The original by-law No.1 was prepared pursuant to the requirements of the then Corporations Act in effect at the time. A member by virtue of Section 3(d) is entitled to be known as an “Ontario Land Economist”.

Members of the Association, who are known as Ontario Land Economists, practice various aspects of land economy in the Province of Ontario, either administration, real property management, land use planning, architecture, engineering and design, transfer of land, development and sustainability, taxation, valuation, financing and research. The Association provides a common and broadly acknowledged identity of professional status for practitioners in these fields.

### **OBJECTIVES OF THE ASSOCIATION**

The objectives of the Association are:

- (a) To provide a body of persons competent to express opinions, give advice, undertake administrative services, create plans, assess feasibility, give expert testimony and arbitral services in all matters involving the “economics, use and development of real property”, as well as persons involved in the development of property assets.



- (b) To establish, preserve, protect and promote the professional status of the members of the Association and to establish and recognize standards consistent therewith, while or in
- (i) Providing or assisting in the provision of educational courses through University or other educational media and prescribing examinations in connection therewith.
  - (ii) Maintaining a record of proceedings of the Association, and collecting, maintaining and using for the betterment of the membership of the Association those books, publications, electronic resources, discoveries and innovations, which reflect the input of members over the years and in the future.
  - (iii) Maintaining a website as the primary means of communicating the ideas and views of the membership.
  - (iv) Maintaining the Journal of the Association of Land Economists as a means of communication of the ideas and views of the membership.
  - (v) Promoting and holding events, meetings, interpretive tours, exhibitions and develop other media for dissemination of ideas, views and best practice among the membership.
  - (vi) From time to time, instituting studies, inquires and programmes of research.
  - (vii) Fostering interdisciplinary collaboration and a spirit of collegiality.
  - (viii) Encouraging the active participation of members and the recruitment of new members.



**ASSOCIATION OF ONTARIO LAND ECONOMISTS  
(INCORPORATED IN ONTARIO)**

**BY-LAW NO. 1**

WHEREAS it is deemed advisable and in the interests of the corporation (hereinafter referred to as the “Association”) to pass a general by-law for regulating its affairs:

BE IT ENACTED as a by-law of this Association as follows:

**1.0 HEAD OFFICE**

The head office of the Association shall be in the City of Toronto in the Province of Ontario and at the place therein where the affairs of the Association are carried on.

**2.0 FINANCIAL YEAR**

The financial year of the Association shall end on the 31<sup>st</sup> day of March in each year.

**3.0 MEMBERSHIP**

**3.1 FULL MEMBERSHIP**

Full membership to the Association is open to any person practising in a discipline or occupation that relates to land economics in the Province of Ontario.

An applicant for full membership must demonstrate to the reasonable satisfaction of the Board the following:

- 1) Five years of paid work experience in a related discipline with at least one of the five years of practise being undertaken while resident in the Province of Ontario or equivalent experience acceptable to the Board at its sole discretion.



- 2) Academic study in a related discipline evidenced by a degree, diploma, or certificate from a Canadian educational institution or a relevant professional designation within Canada.
- 3) Academic study in a related discipline evidenced by a degree, diploma, or certificate from an educational institution outside of Canada or a relevant professional designation outside of Canada where such academic study or professional designation is determined by the Board of Directors to be satisfactory.

Work experience that includes at least one of the real estate disciplines or professional occupations directly related to:

- Land Development and Redevelopment
- Finance
- Marketing and Sales
- Municipal Planning, Administration, Taxation and Politics
- Building Design, Engineering and Construction
- Environmental and Geotechnical Sciences
- Asset/Property Management
- Market Analysis
- Valuation
- Law

The academic requirement can be waived at the discretion of the Board based on the merit of a candidate's work experience and long standing contribution in one of the above fields of expertise.

Full members are entitled to vote at any meeting of the Members.

### **3.2 HONORARY MEMBERSHIP**

The Board may, from time to time, grant an honorary full membership to individuals who have, in the Board's opinion, attained outstanding achievement in land economy or who have contributed long standing service to the Association. Honorary full members of the Association are not required to pay membership dues. Honorary full members are entitled to vote at any meeting of the Members.



### **3.3 GRADUATE MEMBERSHIP**

The Board may grant Graduate membership to individuals who have attained sufficient educational qualifications for full membership but who have not yet attained sufficient work experience in a related discipline. Graduate members are required to pay full membership dues and may use the designation - Graduate - Professional Land Economist. Graduate members have all of the membership rights of Full Members except the right to vote at a meeting of the Members.

### **3.4 STUDENT MEMBERSHIP**

The Board may grant student membership to individuals who have not yet attained sufficient education qualifications or work experience. Student members are required to pay membership dues equivalent to one half the membership dues of full members. Student members are not entitled to use the designation Professional Land Economist, but can reference themselves as Student Member -Association of Ontario Land Economists. Student members have all of the membership rights of Full Members except the right to vote at a meeting of the Members.

Determination of membership status rests solely with the Board of the Association.

### **3.5 MEMBER VOTES**

Each Member under sections 3.1 and 3.2 is entitled to one vote at any meeting of the Members.

## **4.0 MEETING OF MEMBERS**

### **4.1 ANNUAL MEETING**

The annual meeting of the Association shall be held at such place within Ontario, at such time and on such day in each year as the Board may by resolution from time to time determine.

### **4.2 NOTICES**

Notice of the time and place of each meeting of Members shall be given, not less than ten business days before the day on which the meeting is to be held, to the Administrator of the Association and to each



Member of record at the close of the day on which the notice is given to is so entered on the books of the Association.

All members of the Association shall be entitled to receive notice of and attend meetings of the Association.

#### **4.3 REPORTS TO MEMBERS**

A copy of the financial statement and a copy of the auditors' report shall be furnished to any Member on demand.

#### **4.4 SPECIAL MEETING**

The Board or the President or a Vice-President shall have power at any time to call a special meeting of the Members of the Association to be held at such time and at such place within Ontario as may be determined by the Board or the person calling the meeting.

Any member has the right to address the Board, in person, provided the request is made in writing and duly submitted to the Board.

#### **4.5 PERSONS ENTITLED TO BE PRESENT**

The only persons entitled to attend a meeting of Members shall be those Members entitled to receive notice thereof, the appointed financial auditor of the Association, and the Administrator of the Association and others who although not entitled to vote are entitled or required under any provision of the Ontario Corporations Act, R.S.O. 1990, Chapter 38, or the by-laws of the Association to be present at the meeting. Any other person may be admitted only with the consent of the Board.

#### **4.6 FINANCIAL AUDITOR**

The Board shall appoint a financial auditor or other financial examiner who shall be given notice of and be entitled to attend, the Annual Meeting of Members.



#### 4.7 QUORUM

One-fifth of the Members of the Association present in person or represented by proxy shall constitute a quorum for the transaction of business at any meeting of Members provided that in no event shall more than 50 Members present in person or represented by proxy be required for a quorum.

#### 4.8 PROXIES

Every Member may by instrument in writing appoint a proxy, who need not be a member, to attend and act at a meeting of Members in the same manner, to the same extent and with the same power as if the Member were present at the meeting. A member may appoint a proxy by written confirmation of same to the Administrator of the Association. The instrument appointing a proxy shall be in writing under the hand of the appointer or of his attorney authorized in writing, and shall cease to be valid at the end of the meeting of Members. The instrument appointing a proxy may be in any form with the provisions of the Ontario Corporations Act. The following shall be a sufficient form of proxy:

### ASSOCIATION OF ONTARIO LAND ECONOMISTS

I,..... of ....., a  
Member of ASSOCIATION OF ONTARIO LAND ECONOMISTS, hereby appoint  
..... of ..... or failing him/her  
..... of ..... as my proxy to vote for me and on my  
behalf at the meeting of the Members of the Association to be held on the \_\_\_\_\_ day of  
\_\_\_\_\_ 20 \_\_, and at any adjournment thereof.

DATED THIS \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_

At the discretion of the Board, the notice calling any meeting may state that no proxy shall be entitled to vote at such meeting unless the instrument appointing him/her shall have been deposited with the Association at least twenty-four hours before the time at which such meeting is held, and should such notice so state, no proxy shall be entitled to vote at such meeting unless such instrument shall have been so deposited.



## **4.9 VOTES TO GOVERN**

At all meetings of Members every question shall, unless otherwise required by the letters patent or by-laws of the Association or by law, be decided by the majority of the votes duly cast on the question.

## **5.0 BOARD**

### **5.1 NUMBER ON BOARD**

The affairs of the Association (including setting the fees and dues to the Members of the Association) shall be managed and decided by a Board of fifteen (15) directors. Notwithstanding vacancies, the remaining Members of the Board may exercise all the power of Board so long as a quorum of the Board remains in Office.

### **5.2 QUALIFICATIONS**

Each Member of the Board (hereinafter referred to as a “Director”) shall be eighteen or more years of age, and at the time of their election or appointment, and throughout the remainder of the term of office shall remain a Member of the Association.

The office of a Member of the Board of the Association shall be *ipso facto* vacated if:

- (a) By notice in writing to the Administrator of the Association, the member resigns his or her office.
- (b) The member ceases to be a Member of the Association.

As long as there is a quorum of Directors in office, any vacancy occurring on the Board may be filled for the remainder of the term by the Directors then in office.

### **5.3 ELECTION AND TERM**

Directors shall be elected (those attaining the largest number of votes) to hold office for a term of two years from the date of their election or until the second annual meeting of members after such date, whichever occurs first. Thereafter, at each annual meeting, Directors shall be elected to fill the positions





of those Members of Board whose term of office has expired and each Director so elected shall hold office for a term of two years or until the second annual meeting after his election, whichever first occurs. All Directors are, if qualified pursuant to this by-law, eligible for re-election as Directors except the Director who is the retiring President. Any election of Director or Directors, Director may be by a show of hands or by resolution of the Members unless a ballot is demanded by any Member. The Board shall ensure that only a portion of Directors have a coterminous period of office, in order to ensure that each year a number of Directors are continuing as Board members.

#### **5.4 REMOVAL OF DIRECTORS**

The members may, by resolution passed by at least two-thirds of the votes cast at a general meeting of Members, of which notice specifying the intention to pass such resolution has been given, remove any Director before the expiration of his term of office and may, by a majority of the votes cast at the meeting, elect any person in their stead for the remainder of their term.

#### **5.5 CALLING OF BOARD MEETING**

Meetings of the Board shall be held from time to time at such place, at such time and on such day as the President or a Vice-President or any two Directors may determine, and meetings may be called by the President or by a Vice-President or by any two Directors. Notice of every meeting shall be given to each Director not less than two business days before the time when the meeting is to be held, save that no notice of a meeting shall be necessary if all the Directors are present thereat or if those absent have signified their consent to the meeting being held in their absence.

#### **5.6 FIRST MEETING OF NEW BOARD**

Each new Board may without notice, hold its first meeting for the purpose of organization and the election and appointment of officers immediately following the meeting of Members at which such Board was constituted, provided a quorum of Directors is present.

#### **5.7 PLACE OF MEETING**

Meetings of Directors may be held at the head office of the Association or any other place within Ontario.



## **5.8 QUORUM OF THE BOARD**

A quorum of the board shall constitute the lessor of five (5) or 40 percent of the Directors being present, and in good standing, at each regular or special meeting of the Board.

## **5.9 VOTES TO GOVERN**

At all meetings of the Board, every question shall be decided by a majority of the votes cast on the question, and in case of any equality of votes, the Chairman of the meeting shall be entitled to a second or casting vote.

## **5.10 REMUNERATION OF DIRECTORS**

The Directors of the Association shall serve without remuneration and no Director shall directly or indirectly receive any profit from his position as such, provided that a Director may be paid reasonable expenses incurred by him/her in the performance of his/her duties.

## **5.11 ELECTED PRESIDENT**

At the first meeting of the Board after each election of Directors, the Board shall elect a President from among its members.

## **5.12 LIMITATIONS ON THE TERM OF PRESIDENT**

The President may serve a maximum of three (3) consecutive terms. Upon the election of a new President, the existing President shall retire immediately and shall then become the Immediate Past-President until immediately after the next following annual meeting of the Association when his/her term of office as such Immediate Past-President shall end. If a vacancy occurs in the office of the President, it shall be filled by the Board from among its Members. If a vacancy occurs in the office of Immediate Past-President, it may be filled by the Board from the Members of the Association. Upon retiring, the President is eligible to stand for election to the Board at the next annual meeting of the Association.



### **5.13 APPOINTED OFFICERS**

From time to time the Board shall appoint an Administrator, and may appoint one or more Vice-Presidents, a Treasurer, and such other officers as the Board may determine including one or more administrators to any of the officers so appointed, or to undertake the daily administrative responsibilities of the Association. The Administrator(s) shall report to the President of the Association. The President, Treasurer, Secretary and any Vice-President must be a Member at all times. Any other officers appointed by the Board may, at the discretion of the Board, be non-Members. One person may hold more than one office, and if the same person holds both the office of Administrator and the office of Treasurer, they may be known as the Administrator-Treasurer.

### **5.14 REMOVAL OF OFFICERS**

In the absence of written agreement to the contrary, the Board may remove, at its pleasure, any officer of the Association.

### **5.15 PRESIDENT**

The President shall, when present, preside at all meetings of the Members and of the Board and shall be charged with the general supervision of the business and affairs of the Association.

### **5.16 VICE-PRESIDENT**

During the absence or inability of the President, his duties may be performed and his powers may be exercised by the Vice-President or, if there are more than one, by the Vice-Presidents in order of seniority (as determined by the Board). A Vice-President shall also perform such duties and exercise such powers as the President may from time to time delegate to him/her or that the Board may prescribe.

### **5.17 ADMINISTRATOR**

The Administrator shall give, or cause to be given, all notices required to be given to Members, Directors, Auditors and Members of Committees. He/she shall attend all meetings of the Board and of the Members and shall enter or cause to be entered in books kept for that purpose minutes of all proceedings at such meetings. He/she shall be the custodian of the stamp or mechanical device



generally used for affixing the corporate seal of the Association and of all books, papers, records, documents and other instruments belonging to the Association, and shall perform such other duties as may from time to time be prescribed by the Board.

### **5.18 TREASURER**

The Treasurer shall keep full and accurate books of account in which shall be recorded all receipts and disbursements of the Association and, under the direction of the Board, shall control the deposit of money, the safekeeping of securities and the disbursements of the funds of the Association. He/she shall render to the Board at the meetings thereof, or whenever required, an account of all his/her transactions as Treasurer and of the financial position of the Association, and shall perform such other duties as may from time to time be prescribed by the Board.

### **5.19 OTHER OFFICERS**

The duties of all other officers of the Association shall be such as the terms of their engagement call for Board requires of them. Any of the powers and duties of an officer to whom an assistant has been appointed may be exercised and performed by such assistant, unless the Board otherwise directs.

## **6.0 SEAL**

The common seal of the Association shall be in the form impressed on the margin of this by-law. The seal may be affixed to any by-law of the meeting at which such by-law was passed, and to any certificate or any document is a true copy of any by-law or other record of the Association, by any Director of the Association. Save as aforesaid, the seal shall be affixed to any deed or other document requiring the same by any two Directors, and the persons so affixing the seal shall sign the document in question.

## **7.0 NOTICES**

### **7.1 METHOD OF GIVING**

Any notice, or other document to be given to a Member, Director, Officer or Auditor of the Association under any provision of the Letters Patent or by-laws of the Association of the Corporations Act, shall be



sufficiently given if delivered personally to the person to whom it is to be given, sent via registered mail or by courier that provides a verification of delivery, or by regular mail to his/her last address as recorded in the books of the Association, by fax or by emailed to the person at their last known email address or fax number as recorded in the books of the Association. Any notice sent by regular mail will be deemed to have been received by the intended recipient on the third business day after it was mailed. With the exception of regular mail, any notice or document so delivered shall be deemed to have been given when it is delivered either personally or at the address aforesaid, or r when sent electronically by email or other electronic media.

## **7.2 COMPUTATION OF TIME**

In computing the date when notice must be given under any provision of Letters Patent or by-laws requiring a specified number of days' notice of any meeting or other event, the date of giving the notice and the date of the meeting or other event shall be excluded. In computing the time when notice must be given under any provision of the Letters Patent or by-laws requiring a specified number of hours' notice of any meeting or other event, the hour of giving the notice and the hour of the meeting or other event shall be excluded.

## **7.3 OMISSIONS AND ERRORS**

The accidental omission to give any notice to any Member, Director, Officer or Auditor or the non-receipt of any notice by any Member, Director, Officer or Auditor or any error in any notice not affecting the substance thereof shall not invalidate any action taken at any meeting held pursuant to such notice or otherwise founded thereon.

## **7.4 WAIVER OF NOTICE**

Any Member or his duly appointed proxy or the auditor of the Association may waive any notice required to be given under any provision of the letters Patent or by-laws of the Association or the Corporations Act, and such waiver, whether given before or after the meeting or other event of which notice is required to be given, shall cure any default in giving such notice.



## **7.5 REMOVAL OF MEMBERS BY MEMBERSHIP VOTE**

The Members of the Association may, by a resolution, passed by at least two-thirds of the votes cast at a meeting, remove any member of any class from membership in the Association.

## **7.6 DISCIPLINE OR REVOCATION OF MEMBERS BY THE BOARD**

The Board may, by resolution, discipline or remove any Member of any class from membership in the Association without the approval of the membership of the Association, provided that notice of the intention of the Board is provided to the Member in writing with particulars of the intention to discipline or terminate the membership and the grounds upon which such measure is being contemplated. The Member shall have 14 business days to respond to the Board with any information that the Member believes is relevant to the proposed discipline or revocation. The Board upon the receipt and review of any written submission by the Member or the passage of 21 business days without a response, discipline or terminate the membership as the Board deems appropriate.

## **7.7 TERMINATION OF MEMBERSHIP FOR NON-PAYMENT OF MEMBER DUES**

Notwithstanding sections 7.5 and 7.6, the Board may revoke any Membership if the Member has failed to remit his or her membership dues within 3 business days of the delivery of a second default notice.

## **7.8 INVALIDITY OF BY-LAWS**

The invalidity or unenforceability of any provision of this by-law shall not affect the validity or enforceability of the remaining provisions of this by-law.

## **7.9 OMISSIONS AND ERRORS**

The accidental omission to give any notice to any Member, Director, officer or other person, or the non-receipt of any notice by any such person where the Corporation has provided notice in accordance with the by-laws or any error in any notice not affecting its substance shall not invalidate any action taken at any meeting to which the notice pertained.



## **7.10 OFFICERS AND DIRECTORS LIABILITY INSURANCE**

The Board may be resolution, authorize the purchase by the Corporation, from time to time, of liability insurance for Officers and Directors of the Corporation in such amounts and under such terms and conditions as the Board may determine to be reasonably prudent.

**PASSED AND ENACTED** this 23<sup>rd</sup> day of November, 2016.