



# Making the most of your housing co-op's elections

## A guide for Ontario housing co-ops

Elections are a key feature of housing co-op governance. Democratically electing a board of directors to assist the membership in governance makes co-ops different than other types of housing. Recent changes to the Ontario Co-operative Corporations Act have changed the way elections must be conducted.

*Making the most of your housing co-op's elections* is an educational series to help your co-op have the strongest and well-planned elections possible. Each issue in the series is designed as a stand-alone resource that covers a specific part of the election process.

This second issue outlines the legislative changes about elections in the Co-operative Corporations Act. It also reviews updates to the model Organizational By-law to bring co-op by-laws into line with the legislative changes.

### Issue #2: Changes to voting and your election system

Changes to the Ontario Co-op Act came into force on October 1, 2023. While a number of changes were made that impact co-ops, this tip sheet will focus on the changes that affect elections. The Act allows the following subject to the co-op's by-laws. This means the co-op can include rules in their by-laws about these items:

- Co-ops are allowed to hold electronic members' meetings. (See S74(3) of the Co-op Act). Co-ops can decide what they want to do and need to have rules about electronic, hybrid, or in-person meetings in their by-laws.
- Whether an electronic, hybrid or in-person members' meeting is chosen and elections are to take place, co-ops must ensure members are able to vote for directors before or at the members' meeting. Before the changes, the Act said that members need to vote in elections at the member's meeting. The changed wording says that if a member votes

they shall cast their vote “at or before a general meeting.” (S91(1)) There is nothing in the Act that says the co-op by-laws can override this right. Therefore, housing co-ops need to allow members to vote for directors in advance of the member meeting. Co-ops should think carefully about how they want this to happen and put the new system in their by-laws.



## Changes to the model by-laws

CHF Canada made changes to the model Organizational By-law to comply with the changes to the Co-op Act. CHF Canada recommends that co-ops adopt the election system outlined in the model by-law. In the 2023 version of the model Organizational By-law, the entire Article 8 was replaced. The new article sets up a board election system that includes:

- Have an election committee
- Receive nominations for the election before the election meeting, since nominations can no longer be accepted from the floor at the election meeting
- Allow voting in advance at the co-op office, at a polling station set up by the election committee, or electronically, as set out in your co-op’s by-laws
- Allows voting at the election meeting, whether it is by paper ballot, electronic voting, or by both methods.

The remaining issues of *Making the most of your housing co-op’s elections* give more details on each step in the election process.

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