



SUMMARY FROM June 10th BARRHAVEN BUSINESS VIDEO CONFERENCE

Dear BBIA Members,

Thank you to all businesses who joined us for our Week 11 call today. I have compiled the following summary in response to the questions and concerns raised during our discussion. We hope you will all join us **next** week. Please use the following link to participate:

BBIA Open Video Call for Businesses- Week 12

Time: Jun 17, 2020 10:00 AM

Join Zoom Meeting

<https://us02web.zoom.us/j/84163761766>

Meeting ID: 841 6376 1766

One tap mobile

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Find your local number: <https://us02web.zoom.us/j/84163761766>

SUMMARY OF RESOURCES AND INFORMATION FROM WEEK 11 DISCUSSION TOPICS

OCECRA- Rent Abatement

Questions from this week's discussion;

- Do you claim revenue or profit?
 - The 30% maximum in order to qualify is based on this year's **revenue** vs the same period from last year.
- Do they take into account with the 70% loss that costs have gone up?
 - When asked if revenue is **before** cost of goods sold and other operating expenses or **after**, CMHC said they will not tell people how to calculate/determine what is revenue - only that generally accepted accounting principles must be used.
- Does the landlord have the right to ask me for my financial information or do I just simply need to sign the attestation? Some are concerned about the invasion of privacy from the landlord. If we disclose our revenue, could that not affect our future lease negotiations?
 - When asked if Landlords can request financial data (e.g. revenue amounts) from the business owner they said **NO THEY CANNOT** - it used to be there when the program was first released, but for privacy reasons, this has been removed. A landlord cannot deny an application if a tenant doesn't disclose this info.
- Could the landlords not just evict us in September after the moratorium is lifted?
 - The short answer is yes, but the reasoning is that they would rather receive 75% of the rent for many months vs. none (as they won't be able to re-lease the space with you in it).

Advocacy groups are still pushing for amendments to make the program more inclusive for all businesses. Premier Ford has imposed a moratorium on commercial leases until the Fall as all current relief programs cover only April, May and June and it may be a while before some sectors are allowed to reopen. Call Doug Ford's office 416-325-1941 if you have concerns.

The best resource, for both landlords and tenants, is the [CMHC website](#). The CMHC is administering the new program on behalf of the Federal government. **Please contact a lawyer before agreeing to any lease/contract changes.**

- Property owners can apply for this program until the end of August and it is retroactive for April, May and June rent.
- Tenants should contact their landlord to ensure they know about the program and that you qualify and would like for them to apply on your behalf.
- **Let your landlord know they do not need to offer this program to all tenants in order for you to qualify. Rent support is awarded on a tenant by tenant basis.**



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Insurance and Leases

Businesses asked if they can utilize the force majeure clause to get out of a lease if the landlord does not utilize the CECRA program.

- We urge owners consult a lawyer for advice on this.
- Information we have found suggests that leases are written to strongly protect the landlord. If a lease doesn't have a force majeure clause, the doctrine of frustration could come into play. Doctrine of Frustration clauses state that if the environment/world has changed so dramatically that the lease cannot be fulfilled you may be able to break it. Those with longer term requirements to stay closed, such as gyms and yoga for example, may have better luck with using this. Again, you need to consult a professional regarding ALL insurance and lease matters.

Reopening

Please continue to read our daily update emails and check our website for real-time updates to industry specific re-opening regulations, guidelines and specifications. We want to ensure you are prepared and ready to re-open safely and wisely! Check out the video and slide deck from our webinar earlier today: COVID-related Legal Advice for Calling Employees Back to Work.

Rules for PPE for most industries are just guidelines and are available on the Ontario.ca website. Businesses can decide what protocol they would like to follow for masks and other PPE. Most business owners on the call would appreciate it if the Province made wearing masks in public places mandatory so that they could better enforce it in their places of business. OPH is releasing a set of guidelines today. Be sure to sign up for one of our joint industry-specific reopening workshops (see our daily email and website).

Unfortunately, it is still unclear when gyms will be allowed to reopen. Smaller studios (i.e. yoga) are still included in the general industry category for now.



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Customer reviews are important!

Here are some tips;

- Reach out to your customers and ask for a review. Let them know that small businesses depend on reviews so ask them to do that for you.
- Follow up as soon as possible after the transaction takes place.
- Be as precise as possible – longer reviews have a greater impact!
- Respond to all reviews, even (and especially) the negative ones. If you receive a 4-star review, write back and ask what you can do to make it a 5-star review next time.
- Some businesses use Mailchimp to get reviews which also allows them to keep better, more-detailed customer records.

Here are some additional ideas:

- Make your clients feel comfortable with coming back to see you. Create a short video to demonstrate how you will be protecting your customers when they return to your place of business. Share it on your website, social media pages and email it to your client list.
- We are now offering free social media profiles (with video), so please contact us to schedule yours at marketing@barrhavenbia.ca.
- Don't delay in ordering the protective supplies that you will need. Issues are expected with supply levels, non-medical/government accessibility to some suppliers, long delays in shipping and price mark-ups. **Check out our Recovery Page featuring a Personal Protective Equipment (PPE) section with links to various suppliers as well as physical distancing signage, plexiglass shields, moveable, stand-alone hand-sanitizing stations and more!**
- Join us for our weekly Wednesday 10 am call to chat with other business owners about ideas.

Remember, you are not alone: we can all work together to get through this. Please contact us at any time, with any question, concern or idea. If you would like to be put in touch with your business neighbours during this time of social distancing, we can connect you. Please, reach out. Take good care!

Sincerely,

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