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## Mark Freedman wrote the book on condo law

The Canadian condominium industry and the real estate bar lost one of its towering giants last weekend with the passing of Mark Freedman, a senior partner at Harris, Sheaffer LLP in North York.

Freedman, who was 55, was one of Ontario's best-known lawyers in the areas of land development and condominium projects. He also specialized in construction and development financing for major financial institutions, and acted as general counsel to many condominium corporations.

He frequently lectured on real estate-related issues at the Canadian Institute, the Law Society of Upper Canada, the Ontario Bar Association and the Canadian Condominium Institute.

Freedman was an instructor in the real estate section of the Bar Admission Course from 1994 to 2005 and had been qualified as an expert witness in condominium law in proceedings before the Ontario Superior Court of Justice and the Ontario Municipal Board.

Freedman wrote many of the developer purchase and sale agreements signed over the years by tens of thousands of condominium buyers in Ontario. I always found Freedman-written offers to be fairly balanced between the interests of the builder and the consumer.

One of his foremost accomplishments was co-writing, with Harry Herskowitz, *Condominiums in Ontario: A Practical Analysis of the New Legislation*, a massive 720-page book jointly published by the Law Society of Upper Canada and the Ontario Bar Association. In my 2001 review of the book in this column, I called it the "War and Peace of condo literature."

Freedman named The National Gaucher Foundation as recipient of his royalties from the book, to benefit research into the lipid-storage disorder at the Hospital for Sick Children in Toronto.

Herskowitz described Freedman as one of his best friends in law. He was "a true Renaissance man. He lived life to the fullest and always treated others as they would want to be treated."

Stephen Karr was one of Freedman's close friends and his law partner at Harris, Sheaffer.

"He was a brilliant lawyer and great mentor for the profession," Karr said. He also reminded me that Freedman was one of the original members of the Canadian Condominium Institute, and made a huge contribution to the creation of the new Condominium Act, which came into force in 2001.

Stanley Z. Grossman is a lawyer for developers in Toronto.

"He was a friend for so many years who was always available to take a phone call, share his knowledge and mentor all who reached out to him," Grossman says of Freedman on a memorial website (benjamins.ca).

"The legal profession has lost a man of distinction who epitomized all of the values each of us aspire to.

"The condominium bar has lost a leading voice, a man of great wisdom, practicality and sensibility the proportions of which cannot truly be measured. Mark's strength and resolve through years of adversity with health issues is difficult to fathom. Mark always offered a gracious welcome and a greeting with a smile. He was a 'mensch' and all who knew him mourn his passing. His wisdom and teachings will always surround us."

On the same website, Toronto lawyer Leor Margulies wrote: "We will all miss Mark as a friend, an advocate, a fellow real estate lawyer and above all, a fine human being. He cared deeply about people, whether they were his clients, friends, family or fellow lawyers or partners. ... We in the real estate and legal world will be missing some very big shoes to fill."

Freedman is survived by his wife, Judy, parents Robert and Selma Freedman and brothers Alan and Bert and their wives, along with countless clients, friends and admirers in the condominium industry and the real estate bar.

The family has requested that memorial donations be made to the Centre for Gaucher Disease at the Mount Sinai Hospital Foundation, 416-586-8203 ext. 2955.

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