

**MINUTES OF THE STRATA COUNCIL MEETING OF STRATA CORPORATION , HELD ON
JANUARY, 2010**

IN ATTENDANCE: Council in attendance

REGRETS: N/A

Managing Agents: Property Manager, ColyVan Pacific Real Estate Management Ltd.

CALL TO ORDER

The meeting was called to order at 6:04 p.m. by Council President.

COUNCIL HEARINGS

- An owner requested to waive the fine issued for an illegal move-out. She explained that she was only moving out some boxes and so from her point of view it was not move. She explained that she tried unsuccessfully to contact the Building Manager and the property manager before the "move". Council was satisfied with the explanation given and it was **MOTIONED/SECONDED** and **CARRIED** to waive the fine.

APPROVAL OF AGENDA

- It was **MOTIONED/SECONDED** to approve the agenda of the January 20, 2010 strata council meeting.

CARRIED

APPROVAL OF PREVIOUS MEETING MINUTES

- It was **MOTIONED/SECONDED** to approve the meeting minutes of the December 10, 2009 strata council meeting.
- It was **MOTIONED/SECONDED** to approve the meeting minutes of November 25, 2009 strata council meeting.

CARRIED

FINANCIAL REPORT

Financial Statements

- Tabled the approval of financial statements for November and December 2009.
- The Council noted no irregular expenses and found the steam heat expense below budget, similar to the December 2008 statements.
- \$2,800.-. The Council discussed and **MOTIONED/SECONDED** to withhold payments until the developer has cleared the balanced owed.

Arrears Report

The Council reviewed the arrears report as of January 20, 2010:

- Approx. \$18,000 in arrears.
- Six strata lots have been forwarded to collection or were liened.
- The property manager advised the Council that a \$50 late fine is added to a strata lot every month it is in arrears of strata fees. A fine cannot be added on fines owing.
- A letter will be given to the owners 60 days in arrears warning them that a lien may be placed on their property if the arrears are not paid within 14 days. Another letter will be given if arrears are over 90 days and a lien will be placed on the property without further notice if arrears are not paid in full within 14 days. After a lien is placed on the account it will be sent to a lawyer for collection and legal fees will be added onto the total amount owing.
- The Council **MOTIONED/SECONDED** to maintain the collection procedure of ColyVan.

CARRIED

BUILDING MANAGER REPORT

The Building Manager submitted a report to the property management and the report covers many aspects of ongoing issues. However, the report was about 30 pages long and Council requested that the report should be compressed to three pages and forwarded to the Council three days before the next meeting.

COMMITTEES REPORT

NONE

Deficiency Committee

- The latest list of building deficiencies has been submitted to the developer and National Home Warranty.
- The list included a complaint from an owner about knocking sound in the pipes. He was told by the developer when the complaint was first reported that it may be a case of building deficiency. Now the developer thought it was a maintenance issue and will follow up with the owner.

Sustainability

A new committee was formed by the Council president who provided a list of different initiatives for Council's review. The committee will propose green projects in the future.

Bylaw Committee

- The Bylaw Chair reported that the friendly reminders are working on minor bylaw infractions. However, the ensuing warning letters when the reminders fail to work need to be expedited. The property manager advised that reminders are being made up on a continuous and case to case basis, as warranted by the nature of the complaint.

- The Bylaw Chair has reviewed and consolidated the bylaws. He noticed that some sections of the bylaw seem to be missing. ColyVan advised that the bylaws were registered at the Land Title Office and so it stands as it is.
- The property manager advised that rules approved in the 2008 annual general meeting have not been incorporated into the consolidated bylaws and he will follow up with the Bylaw Chair.
- The Vice President expressed his disappointment that the web site is not well maintained and updated on a timely manner and would like to outsource the job to an outside professional. ColyVan will provide referrals and arrange a meeting with the Council.

REPORT ON F1 FLOODING

- In the early morning of January 10 2010, a leak in a suite of the tower caused a flood and water damage to ten suites, the lobby and hallways. Emergency restoration crews removed all the damaged floorings and drywall and dried up the suites with fans and dehumidifiers. The insurance adjuster will write up the specifications of the repair and provide quotes for Council's approval. In the mean time, some residents have moved out because their suites are not inhabitable.
- The insurance deductible of the claim is \$10,000 and depending on the report from the plumber and adjuster, the Strata Council will decide if the owner of strata lot where leak originated will be held responsible to pay the deductible.
- The strata insurance only covers the repair and replacement of what was provided by the developer such as floorings and walls, cabinets etc.. Resident's contents, living expenses during the restoration period and loss of income are not covered by the strata insurance.
- It was noted that some owners have their own insurance and their costs of renting, damages to contents and loss of rent due to tenant moving out are most likely covered.
- **Once again, Council would like to remind owners of the importance to have their own insurance.**

BUILDING AND GROUNDS

- The Council has received a report of water leaking from the kitchen of a strata lot to the unit below causing damage to the ceilings. The upper unit has its own insurance – therefore the repair and restoration will be taken care of without involving the strata corporation.
- A commercial owner reported a power fluctuation in her unit resulting in damages to several pieces of equipment. ColyVan will arrange an inspection of the power supply system . The Council also reviewed the quote on installing capacitors which would ensure that the buildings electricity consumption is more efficiently avoiding surcharges by BC Hydro. It is estimated that the cost of installing the capacitors will be recouped in three years time. Council supported the installation of capacitors but asked the property manager to obtain a second quote.
- The swimming pool was closed for two weeks due to problems with maintaining the water temperature. The electronic control unit could not be stabilised despite several attempts to repair it.

CORRESPONDENCE

- An owner wrote to the City of Vancouver and copied to the Council about his concern regarding stored building materials.
- An owner emailed a complaint about noise coming from the unit above. After investigating and inspecting the suite, it was determined that the noise was not generated by the unit above.

OLD BUSINESS

- The restaurant applied to Council for approval to set up patio seating on the side walk in front of the restaurant. The patio will seat a maximum of 8 patrons and will be demarcated by potted plants. The property manager advised the Council that the application is for a change of use of common property. The Council may grant approval until the next annual general meeting and then the change of use of common property will need approval from owners by a $\frac{3}{4}$ special resolution and vote. After discussion the Council **MOTIONED/SECONDED** and **CARRIED** to give approval for the months of February and March only and subject to permission by the City of Vancouver. In addition, several other conditions were attached to the approval including limiting the operating hours to 10 p.m. and that no music will be played. The restaurant will also be asked to pay a nominal fee of \$100 per month for using the common property for business purposes.
- An owner is suing the strata corporation on a monetary claim and the strata corporation is counter suing. The strata representatives met the owner at the pre-trial session at the Small Claims Court on December 21 2009 where a formal trial date was set for June 15 2010. To prepare for the trial, the Council **MOTIONED/SECONDED** and **CARRIED** to approve the expenses of purchasing three binders and the cost of printing / copying the trial notes.

NEW BUSINESS

- A resident complained that while he was waiting for the main garage gate to close when entering the residential parkade, another vehicle passed by his car entering the parkade in the wrong lane. The other driver then confronted him and an altercation ensued. The incident was recorded by surveillance camera and witnessed by a third resident. While Council decided that the altercation itself was not strata business and the resident should report the incident to the police, Council will issue a warning letter to one of the parties for failing to wait for the gate to close.
- Some residents are charging their electric vehicles in the parkade at the expense of the strata corporation. The president will review the possibility to install a re-charging station which allows electric vehicle to recharge for a fee.
- Council is seeking competitive quotes for janitorial services. The property manager will obtain three quotes for Council's review.

ADJOURNMENT

There being no further business the meeting was adjourned at 8:56 p.m.

ATTENTION

Please keep these minutes on file as a permanent legal record of your Strata Corporation's business. Replacement of either minutes or bylaws will be at the owner's expense, not the Strata Corporation's.