

**MINUTES OF COUNCIL MEETING
THE OWNERS, STRATA PLAN VR264**

HELD: #204 -1234 Pendrell Street, Vancouver
Tuesday, November 4, 2008 at 7:00pm

PRESENT: Kevin Morgan Unit #204 President
Tim Hansen Unit #404 Treasurer
Dianne Dary Unit #102
Philippe Varrier Unit #203
Biagio Galle Unit #403

REGRETS: Nancy Black Unit #405

AGENT: Sean Michaels IPM & Associates Property Management & Real Estate Inc.

GUESTS: Doug Waters Unit #201

CALL TO ORDER AND REGISTRATION

The Agent, Sean Michaels, called the meeting to order at 7:18 p.m., at which time, 5 members of the council were present, meeting the quorum requirement of the *Strata Property Act*.

APPROVAL OF MINUTES OF LAST MEETING

The following errors were noted in the minutes of the August 12, 2008:

1. It was indicated several times throughout the minutes that Yana Sabanskis' unit number was #406 in error. It should be noted that Yana Sabanskis' correct unit number is unit #407.
2. Also, it should be noted that the owners (Ralph B. Giles III & Sandra Barsky) from suite #304 did attend the meeting on August 12, 2008 as guests.

As there were no further errors or omissions noted in the minutes of the August 12, 2008 council meeting, it was **moved (#6)** and **seconded (#8)** to approve these minutes with the noted corrections. **MOTION CARRIED**

FINANCIAL STATEMENTS

The treasurer reported on the July and August 2008 financial statements. As there were no noted errors or corrections needed, the July and August financials were approved by a unanimous show of hands by council. **Motion Passed Unanimously**

Receivables

It was noted by Sean Michaels that due to the management switch the arrears list is currently unavailable. Efforts are being made to have them to council by the end of the week.

BUSINESS AT HAND

1) **Building Security**

It was noted that there has been a notable increase of damage to the building and foot traffic in the last few weeks. Options to resolve this were discussed including rental restriction bylaw, security systems, and security guards. Council is reviewing options to increase security for the safety of the residents of the building.

The council requested copies of all the form K's for the rented suites in the building for their records. Sean Michaels will provide the council with these records.

Council at this point wished to remind owners that a form K is required within two weeks of a tenant moving into the suite. Failure to produce a form K is a bylaw violation and landlord owners will be fined if the violation is discovered.

2) **BC Hydro Rebate**

Sean Michaels to contact Centre Electric to follow-up on the rebate.

3) **Insurance Renewed (signing exclusions)**

An exclusion clause was presented at the last council meeting to the council to amend the insurance policy to exclude water ingress through the exterior building membrane. The exclusion clause was signed and presented to Sean Michaels to deliver the signed copy to CMW.

Also, it was noted that the replacement value of the building has been increased to \$4,200,000.00.

4) **Repairs/Maintenance Completed**

a) **Sump Pump Warranty** - Sean Michaels to follow up with the contractor and report back to council as to what is the warranty on the sump-pump.

b) **Door Closer on 4th Floor to West Stairwell** – Council reports that this issue has been resolved.

5) **Quotes for Review:**

a) **Annual Fire Deficiencies** – The deficiencies noted during the annual fire inspection will be correct when FirePro attends the building on November 28, 2008 at 8:30 a.m..

b) **Lighting Upgrades** – Sean Michaels was instructed to contact Centre Electric to have the light over the south main door replaced with a brighter light.

c) **Clean out of Sump Pit** – Sean Michaels was instructed to contact Milani Plumbing to have this work completed.

d) **Replace 6" Cast Iron Pipe at edge of building cracked** – Sean Michaels was instructed to contact Milani Plumbing to have this work completed.

6) **Correspondence Received Unit #407 – email June 23, 2008 re. Pressure washing, etc.**

This item was moved to correspondence at the end of the meeting.

7) **Chimney Cleaning**

Sean Michaels was authorized to attain multiple quotes and to proceed with the chimney inspections and cleaning as soon as possible. By Council's memory the chimneys were last swept in November, 2006.

8) **Disposal of Mats in Parkade**

These mats were disposed after the meeting on August 12, 2008.

9) **Vent Duct from Boiler**

Sean Michaels was instructed to hire a mechanical company to shorten the duct so that it is covered by the overhang.

10) **Elevator Door Malfunction**

Sean Michaels was instructed to contact the elevator maintenance company to have this issue repaired. It is council's belief that this malfunction was caused by the door being jammed open by residents. Owners are reminded that if you are in need of the elevator to move large objects that you should attain an elevator key to lock off the door to avoid damaging the elevator.

11) **Fan on 4th Floor and Motor in Parkade Making Excessive Noise**

Council authorized Sean Michaels to get a mechanical company out to repair these items.

12) **Tree Pruning**

Sean Michaels to review and present the quote to council.

13) **CAPITAL UPGRADES**

- a) Balcony repairs Unit #103 & #104 approved at SGM pending second quote – Sean Michaels was instructed to get a second quote.
- b) Parkade Cracks approved at SGM – Waiting for water to appear in parkade. Sean Michaels is to confirm how much lead time the contractors require prior to commencing the work.
- c) Full Balcony Reconstruction approved at SGM – It was motioned by unit #404 and seconded by unit #102 to proceed with McArthur Vantell to continue with the project. .
Motion Approved Unanimously
It was mentioned that the council will be keeping the owners informed and possibly having information meetings as the project progresses.
- d) Security system for building – The council has tabled this item indefinitely.

NEW BUSINESS

1) **Third Quote for Keyless Entry System**

This item tabled indefinitely until review of security options is complete.

2) **Complaint - Move-in without notification – October 15, 2008:**

A complaint was received that someone was moving into the building without notifying council or getting an elevator key. Owners are reminded of the move in bylaw:

- (24) *All residents planning to move into or out of the building through the building's lobby or parkade and using the elevator must contact the property manager at least 48 hours in advance to obtain the elevator key (\$25.00 deposit). All move-ins and move-outs must be completed between the hours of 9 a.m. and 9 p.m. The owner of the applicable strata lot is responsible to pay for the cost to repair any damage resulting from the move. The strata corporation shall charge a \$50.00 non-refundable move-in fee upon change of occupancy in a strata lot.*

ALSO

Inform strata corporation

4(1) Within 2 weeks of becoming an owner, an owner must inform the strata corporation of the owner's name, strata lot number and mailing address outside the strata plan, if any.

a. On request by strata corporation, a tenant must inform the strata corporation of his or her name.

b. Pursuant to section 146 of the Strata Property Act, within two weeks of renting

his strata lot, a landlord must give the strata corporation a copy of a Form K signed by the tenant.

After some investigation, it was noted that the move-in was related to #208. The council will be charging the owner of this suite the move in fee, as well as commencing the bylaw enforcement process as per section 135 of the Strata Property Act.

3) Abusive behaviour towards council & appropriate response

The strata property manager commented that several letters received by council from an owner were abusive and unprofessional. Although the letters did contain some potentially helpful and legitimate facts/complaints, it was suggested that further correspondence be ignored from this owner, unless the letter is submitted with a professional and courteous tone. All owners are reminded that council is formed by your neighbours on a volunteer basis and that fact should be respected, despite disagreements, by interacting with council in a professional and courteous manner. Further, continued abuse of the council or contractors (including the property manager) will be met in the future with possible legal action at the cost of the strata corporation. The council and property manager will not allow this type of behaviour as it harms the community as a whole. If there is a problem the council and property manager will be happy to address ANY issues if it is presented to them in a professional and courteous manner.

4) Bylaw enforcement & amendments

Council would like to remind owners that bylaws enforcement is controlled by section 135 of the strata property act. There is no reason why owners should be approaching council members at all hours of the day and verbally requesting action being taken. The act states that the complaint must be submitted to the strata corporation prior to commencing enforcement, the strata council members individually are not the strata corporation, so the complaint must be received in writing to be dealt with at the next council meeting. A decision will be made after discussion by the council members present at the council meeting and action taken upon that discussion. So in essence, if your neighbour is doing something in contravention of the bylaws, document it and submit a letter/report but do not approach an individual council member about it. If the violation is something the police need to be dealing with such as excessive noise causing a nuisance, then call the police and submit a letter to council to have them fined at a later date. If some maintenance or repair in regard to the building is required send in a letter, if it's urgent or time sensitive, contact the property manager via a letter. Please understand that the property manager may not be able to act immediately on your request, depending on the nature of the request, until a council meeting has been held and permission has been given by council to deal with the issue. All letters should be sent to:

The Council of the Owners of Strata Plan VR264
c/o IPM & Associates Property Management & Real Estate Inc.
P.O. Box 75298 WRPO
White Rock, BC
V4B 5L4

or

Fax it to 604-541-7339 addressed to "The Council of the Owners of Strata Plan VR264"

5) Signing Authorities

A motion was put forward to have Dianne Dary, Tim Hansen, & Kevin Morgan as signing authorities for the CRF and any Special Levy Funds, until their resignation and

an election of a new council at the AGM. These accounts will require two signatures prior to any money being withdrawn. **Motion Approved Unanimously**

6) **Stop Rail for Dumpster**

Council requested that quotes be collected to have a stop rail put in to stop the garbage dumpster from rolling into the parkade. Sean Michaels will attain quotes and present them to council.

7) **Cleaning Laundry Machines**

It was noted that the tops of the drums in the washing machines have become quite filthy. The washing machine suppliers were contacted and flatly stated they do not clean that part of the machine. Sean Michaels was asked to investigate the possibility of renegotiating or attaining quotes for new machines.

8) **Kelly Boy Responsibilities**

Council requested that Sean Michaels attain a summary from Kelly Boy as to what they are responsible for and how often they clean certain areas.

CORRESPONDENCE

Unit #407 – August 12, 2008 – Complaint against strata council, the council members, and Monarch Strata Ventures and copy of some of the records allowed under section 136 of the strata property act. Council has taken this letter under advisement and asked Sean Michaels to contact the owner regarding the records.

Unit #407 – October 15, 2008 – Complaint about move in without notice – Council has taken this under advisement and has taken action as previously mentioned in these minutes.

Unit #407 – August 13, 2008 – Complaint regarding insufficient notice of council meeting – Council has taken this under advisement and will provide notice as required under the bylaws.

Unit #407 – August 15 & 26, 2008 – Complaint about verbal records of the meetings being taken without consent of all parties present – Council has taken this under advisement and believes that all parties were notified of the recording device used at the meeting in question, the recording has been destroyed.

Unit #406 – August 27, 2008 – Regarding: the implementation of fines on her suite, questions surrounding the expenditure of money by council, and disputing charges for requested records. – Council has taken this under advisement.

Unit #406 – September 8, 2008 – A request to hold an SGM to discuss the fines applied to her unit as well as the expenditures by council to deal with the application of those fines– This request was denied as it does not conform with the requirements under the strata property act for an owner to request an SGM or to add an item to the agenda of a general meeting.

Unit #407 – Complaint involving improper parking of a vehicle and possible fire code violation. Council will investigate this issue and inform the owners of the results at a later date. Also, Sean Michaels was instructed to contact the City of Vancouver to determine the number of allowed parking stall and fire code requirements.

Unit #407 – September 15, 2008 – Request to rescinded the SGM held on September 3, 2008 as there was an error in the notice. Furthermore, a complaint that the council is not posting dates, times, and location

of the next council meeting in the minutes. There was also a request to address council at the next council meeting. – Council has taken this under advisement.

NEXT MEETING

The next meeting is scheduled to be held on January 13, 2009 at 7:00 p.m. at #404 -1234 Pendrell Street, Vancouver.

TERMINATION

As there was no further business to discuss, the meeting adjourned at 9:01 p.m.



Sean Michaels
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Website: www.allpropconsulting.com

Please keep a copy of these minutes for future reference. They will be required at time of sale and a charge as per the *Strata Property Act* will be assessed for replacement copies.