

**STRATA COUNCIL**  
Strata Plan NW 2471  
Barclay Court  
10980 No. 2 Road  
Richmond, B.C. V7E 2E3

**Date:** September 13, 2015

**Time & Place:** 7:40 PM – 9:45 PM at Unit # 11

**Attendees:** Units 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, and 14 = 87%

**Discussions/Agreements:**

The new owners of Units 1 and 10, Johnson and Ken & Stefanie, respectively, were among the attendees and they introduced themselves to the group.

The following were taken up and agreed upon by all homeowners present:

- Financial Statements for January 1 to December 31, 2014 and January to July 31, 2015 as well as the CY 2015 Budget were presented, discussed and a copy given to each attendee

Noemi's discussion highlighted the following:

- Thanks to Rosemarie Ty for being able to negotiate a \$150 price reduction from the contract renewal with Waste Management
- Budget provision for the Depreciation Report for \$4,000.00  
Depreciation Report is required by the Strata Property Regulations in order to provide information on the physical component inventory of the strata buildings and common assets and its evaluation based on onsite visual inspection as well as serve as financial forecasting tool for the required preventive maintenance and repairs.  
This report has been deferred for the past 2 years. We have a 3-year period Appraisal being done by Normac and the same company offered to undertake the Depreciation Report at their least price of \$3,590.00. The voting sheet for Depreciation Report shows 100% approval of all present or 87% of all homeowners.
- The new appraised value for our Strata Complex is \$3,041,000.00, an increase of \$51,000 from previous year's \$2,990,000.00 mainly due to higher construction costs. This value will be used for our property insurance that is based on Total Replacement Cost.
- The \$11,760.00 Regular Maintenance item in the budget includes the \$6,000.00 payments/reimbursements of pipe/plumbing repairs of Units 3, 4 and 13 made in Jan. & Feb., 2015
- After considering the total estimated strata fees for the year 2015 less all the expenses paid already and estimated expenses for the rest of the year and a 20% provision for contingency funds, our checking account is projected to have a remaining balance of \$11,125.19. Overall funds including the amounts at the Contingency Reserve as at end of the year is estimated at \$28,902.04. **On a per unit basis though, amount per unit is only \$1,926.80 which is relatively small for a strata corporation.**

- It was noted that there was no pending item from the last meeting
- The recent parking problems were taken up as per previous letters of Peter Co and Unit #9. The discussion of the issues triggered heated arguments as some freely expressed their opinions but after the meeting was closed, those involved agreed not to take those exchange of unpleasant words personally and move forward amicably.

It was suggested that since we have only 2 visitor parking spots, if any unit will have a party and expects to have many guests with vehicles, to arrange beforehand and ask around other units for permission to park at their assigned parking slot if available. An arrangement with another homeowner re parking accommodation on a give and take basis is a good idea. Also, for instances where any homeowner badly needs to park outside of his own parking slot, he should ask prior permission or give courtesy to let the other homeowner who will be inconvenienced know.

Peter previously gave Noemi photographs of parking violations and he suggested that the assessments be issued for those violations as they have already been notified. However, in consultation with strata lawyer and CHOA Strata Advisor, the following procedures have to be followed when issuing violation assessments:

***Per Section 135 of the Strata Property Act on Complaint, Right to Answer and Notice of Decision –***

- (1) The strata corporation must not*
  - (a) impose a fine against a person,*
  - (b) require a person to pay the costs of remedying contravention, or*
  - (c) deny a person the use of recreational facility**for a contravention of a bylaw or rule unless the strata corporation has*
  - (d) received a complaint about the contravention*
  - (e) Given the owner or tenant the particulars of the complaint, in writing, and a reasonable opportunity to answer the complaint, including a hearing if requested by the owner or tenant, and*
  - (f) If the person is a tenant, given notice of the complaint to the person's landlord and to the owner.*
- (2) The strata corporation must, as soon as feasible, give notice in writing of a decision on the above matter(sub-section (1) (a), (b), or (c) or to the persons referred to in sub-section (1) (e) and (f)*
- (3) Once a strata corporation has complied with this section in respect of a contravention of a bylaw or rule, it may impose a fine or other penalty for a continuing contravention of that bylaw or rule without further compliance with this section.*

***Per Section 125 of the Strata Property Act on Rules – Sub-Section (3) and (4) –***

- (3) All rules, including those posted on signs, must be set out in a written document that is capable of being photocopied.*
- (4) The strata corporation must inform owners and tenants of any new rules as soon as feasible*

Relative to this, the lawyer further suggested that our first step to implement our parking rules is to specify them in the strata Rules and Regulations. A written complaint has to be received by the council and has to specify the complainant, who the contravening party is, the date and time of violation and brief reason for the complaint or specify the rules being violated.

75% vote is required to amend the strata rules and 92% voted for the addition of the Parking Rules to the Strata Rules and Regulations.

Decals for visitors have been issued to all units, 2 for each unit. All homeowners are reminded to please use them/put them on your visitor's dashboard for identification. The decal serves as the vehicle's authority to park and without that identification is in risk of being towed. In addition, ensure that your visitors are properly parked at the right place and not using any assigned parking spot.

- Noemi suggested that the cleaning of common areas and areas around the perimeter fence to be done in a day to be scheduled by the strata council and to be participated by all the homeowners with each unit being represented. This has been done in the past. Also, the snow removal of each unit's driveway will be the responsibility of the unit owner and the sidewalk around the complex will be done by any resident who is willing and available and the strata will pay for that labor.

100% voted for the inclusion of the cleaning rules for common areas.

A copy of the amended Rules and Regulations is attached to this minutes.

- Noemi read the resignation letter of Lyn Co as one of the chairpersons and thanked her and acknowledged her great service to the strata during her term. Rose suggested that Lyn will be replaced so that we continue to have 2 chairpersons. Alvin Wee of Unit #12 was nominated and voted as the new chairperson which he politely accepted and Edgardo Guevarra of Unit # 8 remains to be the other chairperson. Stefanie So of Unit #10 was voted as secretary as Noemi has been functioning both as Treasurer and Secretary for a long time already and Stefanie also graciously accepted.
- In another letter from Peter to Noemi and all units were copied, he was suggesting the hiring of a strata manager. \$400 will be the monthly fee per offer attached in the letter. Noemi explained the strata's fund limitation and noted that the duties of the strata manager are already being taken care of by the present strata council, say:
  - (a) *collecting or holding strata fees, contributions, levies and other amounts levied by or due to, the strata corporation under the Strata Property Act;*
  - (b) *exercising delegated powers and duties of a strata corporation or strata council, including:*
    - (a) *making payments to third parties on behalf of the strata corporation,*
    - (b) *negotiating or entering into contracts on behalf of the strata corporation, or*
    - (c) *supervising employees or contractors hired or engaged by the strata corporation but does not include any activity excluded by regulation.*

Duties like collecting fees, making payments, preparing Certificates Form B and Form F, preparing minutes and distributing them, are now handled by Noemi and Stefanie will prepare the minutes for the future meetings. The contracting of whatever has to be done is being done by the chairperson in coordination with other council members.

It is understood that the parking violations brought about the idea of hiring a strata manager. It is the opinion of many that the hiring of a strata manager will not solve this issue because the manager will not be living in the complex; he is normally in his office and will only receive any information, report or letters from the council or homeowners and as such his action will also be after the fact and not preventive. The law still requires that a strata council to be the governing body of any strata corporation. The strata manager will only perform by the authority of the strata council whatever duties the council will assign to him. We are

fortunate to have a good neighborhood in general and this was the first time that a heated argument happened in the meeting. If we will hire a strata manager, for most of the months that we will be paying him, the only thing he will do for us is to deposit our strata fees. We are trying our best to save money for contingency because our buildings are getting old and so are we and we have to be prepared for big item expenses in the future in order to avoid huge assessments as much as possible.

In addition, per Guide 24 of the Office of Housing and Construction Standards, Section 3, 2<sup>nd</sup> paragraph – (among other limitations

Under the Standard Bylaws, a strata manager cannot:

- determine if a person has contravened a bylaw or rule;
- determine if a person should be fined or determine the amount of a fine for the contravention of the bylaw or rule

With these limitations and many other limitations, a strata manager is not the solution to the parking issues.

Another issue was being raised by Peter against Unit #11 was the area beside the garage of Unit # 11. Peter said it is a common area while Roberto said it is supposed to be planted as per strata plan. The only reason why there is a shelf there is to deter people from constantly passing there because in the past all cars of Unit #11 had scratches from the bicycle of Unit 11's previous owner and also from the ladder stored there when users are not returning them carefully. Unit #11 will agree to remove the shelf and all stuff thereon if the strata will have that area planted with a securing plastic fence to protect the cars being parked there. Relative to this and if we have to be very strict about our rules, we will require all homeowners to remove anything that is stored in their parking following Section 4 of our Rules and Regulations. That rule has originally been there but the previous council did not strictly implement it as they understood that we have limited space inside our unit. If Peter will insist, Roberto will remove the shelf, then that area will be planted by the strata and all units will have to empty their garage.

Please feel free to make any suggestions to the council for the improvement of our strata and also to strengthen our relationship as neighbors and friends – you can send a letter to any strata council member and your good ideas will be taken up in the next meeting. We value your inputs, please actively participate.

Thanks to Jimmy of Unit #3 who is our Blockwatch Representative and who updated the homeowners' list. A copy of which is also attached to this minutes.

Council Members:

Chairpersons:	Alvin of Unit # 12 Edgar of Unit # 8
Vice-Charipersons:	Rosemarie of Unit #6 Alfeo of Unit #7 Elizabeth of Unit #4
Secretary:	Stefanie of Unit #10
Blockwatch Representative:	Jimmy of Unit # 3
Treasurer:	Noemi of Unit #11

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**Date:** June 17, 2014

**Time & Place:** 7:30 PM – 8:45 PM at Unit # 4

**Attendees:** Units 1, 2, 3, 4, 6, 7, 9, 11, 12, 13, 14 & 15 = 80.00%

**Discussions/Agreements:**

The following were taken up and agreed upon by all homeowners present:

- Financial Statements for January to June, 2014 was presented, discussed and copy given to each attendee

The \$11,510.28 balance of the chequing account has not yet deducted the outstanding cheques issued to Alvin Wee and Bartlett Tree Experts for \$1,431.25 and \$2,289.00, respectively (nature of payment stated below the Financial Statement)

- Update on matters agreed upon from the last meeting:
  - CCTV cameras purchased and already installed
  - Four (4) old poplar trees beside the fence of Unit # 1 already cut down
  - Fence painting - already done
  
  - Consulting of lawyer to amend the Strata By-laws – hold off due to cost involved  
Applicable amendment proposals to be solicited from all homeowners and lawyer will be needed only to review for any legal implications or restrictions
- Strata members informed that Unit # 10 was reimbursed of the repair cost of the broken pipe at the furnace room, based on the court order. The amount paid was \$1,919.36 including interest of \$10.00+. The judge said that while the regular maintenance of the limited common property is the responsibility of the unit owner, the extraordinary or non-recurring repairs should be charged to the strata.
- Unit # 4 reported that on July 5, 2014, they forgot to lock their car and it was broken into by 2 men who scattered things on the front seat and on the floor, probably looking for the car key. At around 2:35 am, Fidel was reminded that he did not lock the car and by the time car was locked, the intruders who were already inside the car get out and left the place. It was recorded on the camera though the facial features of the men were not clear enough to be recognized. This incident was reported to the Block Watch by our representative Jimmy of Unit #3. It was also learned that the same incident of forgetting to lock the car happened to Unit #6 and their car was actually stolen and was recovered by the police in Surrey.

There were no known incidents in the complex before except that few years ago, a group of youngsters from the former 7-Eleven across Steveston Highway broke the kitchen windows of Unit#1 as they were provoking the son of the previous resident thereat.

As a security measure and to deter any burglars, please ensure that you lock your cars, keep your car keys and better still, put a club on your steering wheel. Likewise, report to the council if you see people whether on foot or driving who are coming into the complex with no business with any homeowner.

- Pursuant to the reimbursement of Unit #10 pipe repair as ordered by the court, it was suggested and agreed by all attendees that all the other units will be entitled to a one time reimbursement of the same nature. The strata funds will reimburse each unit for the repair of the same pipe inside the furnace room and or other pipes inside the unit only to an aggregate amount not exceeding \$2,000.00 supported by receipts of payment. The unit owner should ensure that the repair is properly done because the total of \$2,000.00 is the maximum amount either one or more instance, any amount in excess will be to the owner's expense. It was suggested and approved that this \$2,000.00 amount will cover a 10-year period unless there are excess funds available before the end of the 10-year period. Any request for reimbursement on top of this maximum amount before the end of the 10-year period will be subject to the approval of the 80% of the homeowners. This excludes common property which is the strata's responsibility.

In view of this anticipated costs to the strata, increase in the monthly strata fees were discussed and voted upon. Proposals at 20% and 25% of the current fees were presented and the majority vote was for the 25% increase. Said increase will raise the total annual fee collection s by \$7,170.60, not even enough to cover the budget for broken pipe of 4 units. The increase will take effect with August 1, 2014 strata fee payment. You can either give one cheque for the total increase for Aug. to Dec., 2014 (5 months) or 5 monthly cheques for the additional amount.

- Other items of urgent expenditures are:
  - the repair of the furnace room of Unit #3 that was slightly detaching from the wall of the main building due to the ground movement causing cement slab to recede.
  - cement cracks and uneven cement flooring at the patio and parking
  - gap on the post of unit #1
  - fence needed to close the gap due to the removal of the poplar tree by Unit #1

Please check your place for anything broken or that needs to be fixed to avoid being damaged and report to Lyn of Unit #13.

Thank you for everyone's participation. Del and Beth of Unit #4 are much appreciated for their hospitality.

Please be reminded to give to Unit #11 your additional cheque before Aug. 1, 2014

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**Date: March 22, 2014**

**Time & Place: 7:00 PM – 8:25 PM at Unit # 4**

**Attendees: Units 1, 2, 3, 4, 6, 7, 8, 9, 11, 12, 13 & 15 = 80.00%**

**Discussions/Agreements:**

The following were suggested and agreed upon by all homeowners present:

- Financial Statements for Calendar Year 2013 and Jan. & Feb., 2014 as well as Calendar Year 2014 Budget were presented, discussed and copy given to each attendee

Everyone agreed to be prudent in the use of Strata Funds in order to boost the Contingency Reserve Fund and avoid further increase in the monthly strata fee.

- All attendees are in agreement and approved the Budget. Expenses not included in the Budget but have been proposed and agreed to be done in 2014 are the following:
  - Purchase and installation of 4 units of CCTV camera
  - Cut down / remove the two (2) poplar trees beside the fence of Unit # 1
  - Cost of consulting a lawyer to amend the Strata By-laws

It was likewise reiterated that No Disbursement / Payment other than for Items included in the Budget and aside from the above items as suggested will be made without the approval of 75% of the homeowners.

- The homeowners were informed of Unit # 10's demand for reimbursement of the repair cost of the broken pipe connected to the hot water tank as well as the case being filed in court if reimbursement will not be made from the Strata funds. All the attendees voted not to reimburse for the reason that the same thing happened to 6 other units and they did not get reimbursed and they wanted to maintain the present amount of strata fee for at least another year. All attendees promised to show support and attend if a court hearing is called for.
- All attendees agreed on the need to amend and update the existing Strata By-laws still dated in 1999 and among the suggested amendments are specific rules and regulations concerning noise as well as the allowable repairs to be charged to the Strata funds.
- All attendees representing 80% of the homeowners agreed and voted to again defer obtaining the Depreciation Report. All agreed that it is very costly and not urgently needed at this time.

- The fence painting will be done by a contractor in April, 2014. Before the painting work, areas by the fence will be cleared/cleaned specifically the sides along Steveston Highway and No. 2 Road
- We will send a letter request to the City of Richmond for the cutting down of the trees and will get comparable quotes from arborists. The 2 poplar trees are costly to maintain & trim and the roots might eventually grow underneath the building structure.
- Alvin of Unit # 12 will take care of the procurement of CCTV cameras as well as signs around the complex
- Jimmy of Unit # 3 is the new Block Watch Representative. He has submitted all the residents' Unit number and telephone number as required for the Block Watch.

Thank you for everyone's participation. Thanks to Del and Beth of Unit #4 for your hospitality.