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## Strata Living

Headline: Absentee Ballots are Not Allowed

Topics: Voting

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**Dear Tony:** Our strata council president and the property manager are trying to force through a bylaw that will allow owners to enclose their balconies. Our strata had a full building restoration in 2005, and we removed the balcony enclosures at that time because of all the problems they caused. We also adopted a bylaw that prohibited any future enclosures. We received a notice in the mail that the meeting called by the president was an absentee proxy meeting only, and we simply had to send in our proxy votes and they would be counted. The property manager said there was no need for a meeting space as no one would attend. Does the Strata Act allow these types of meetings?

it is the annual general meeting, they must agree to approve the annual budget and acclaim the appointment of those persons nominated for council. If one eligible voter disagrees or does not sign the waiver, then none of the resolutions pass.

*Colin G. Mission*

**Dear Colin:** There is no such thing as an absentee proxy vote in the *Strata Property Act*. Any owner voting at an annual or special general meeting on any resolution required by the *Strata Property Act* must be voted on in person or by proxy, at the time the vote is taken.

The proxy is a real person, not the written assignment, and is appointed by each owner and actually votes on their behalf at the time the vote is taken. When a person holding proxies registers for a meeting, they are given a voting card for each proxy they hold, and whether it is by show of voting cards, ballot or any other method, they must vote for or against the resolution when the voted is called, for the proxy vote to be counted.

I suspect your council president and manager have confused the notice of waiver of a meeting with the proxy process. A strata corporation may waive notice of holding a meeting if the following conditions apply: **every** eligible voter must agree in writing to waive notice of an annual or special general meeting, and must agree to all of the resolutions in the notice, and if