



Strata Living

Headline: Too many votes at AGM

Topics: Voting

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Dear Tony: We had an unusual problem at our AGM last week. Our strata was voting on a 2.7 million dollar special levy. We had 78 people registered in person or by proxy, and we voted by ballots that were issued when eligible voters registered. When our scrutineers counted the votes, we had a total of 84 votes, and the vote only passed by 3. The president of council declared the vote passed! But our property manager advised we had to vote again. We did not vote twice, the levy was due and payable on passing and now people are getting harassing notices of late fee payments. Is our vote valid?

John W.

Dear John: All strata corporations must get into the practice of issuing voting cards at registration, to identify eligible voters. Then ballots can be issued only when a resolution is voted on and the numbers verified. If the voting cards identify either the strata lot number or unit number, provided you don't have duplicate unit numbers in multiple buildings, voters can bring their voting card to the ballot desk and be given a ballot for each voting card they hold. Whoever is issuing voting cards can record which numbers have been issued to avoid any duplications and the number of ballots issued can then be counted against the number of voting cards. If you have more ballots than voting cards you have a problem. Considering the significant irregularity of the votes, I would recommend the strata consult with a lawyer and consider a new meeting to confirm the results of the vote. Any owner has the opportunity to challenge the results through the Civil Resolution Tribunal, and your planned repairs and levies could be delayed by the process.