

Strata Living

Headline: How is a special levy calculated?

Topic: Special Levies

Publication / Date: 24 Hours, Nov 9, 2017

Written by: Tony Gioventu

Dear Tony: We are a 7-unit townhouse complex that share the same roof. The roof needs to be replaced urgently and a special general meeting has been called to vote on a large special levy. However, my strata council has calculated my share of the special levy to be more than my neighbours. How is that possible? Given we all have the same roof shouldn't the expense be shared equally among all 7 owners? -

James C, Coquitlam

Dear James: Special levies are generally calculated in the same way that strata fees are paid by owners which is by unit entitlement. The *Strata Property Act (SPA)* is clear, the strata corporation must calculate each strata lot's share of a special levy using the Schedule of Unit Entitlement at an annual or special general meeting if approving the levy by a $\frac{3}{4}$ vote resolution.

If the owners want to use a different formula – for example in your situation, divide the total amount of the special levy equally amongst all 7 owners - a resolution passed by a unanimous vote would be required.

After reviewing the notice package for your special general meeting, and the Schedule of Unit Entitlement for your strata corporation, your strata lot's unit entitlement is larger therefore your share of the special levy has been apportioned accordingly.

Something to keep in mind for the night of the special general meeting: when calculating the results of a $\frac{3}{4}$ vote, the vote is not based on the total number of votes in the strata corporation. The vote is calculated by the number of votes present in person or by proxy who vote either "yes" or "no". Abstentions are not included in the count.