

Condominium Home Owners Association

A non-profit association serving strata owners since 1976

Bulletin: 300-155

Condo Smarts

Headline: What are the rules for AGM?

Topic: Procedures

Publication date: November 27, 2005

Publication: The Province

Written by: Tony Gioventu

Dear Condo Smarts: Our strata building is almost 200 units. Over the weekend we attempted to have our annual general meeting. Unfortunately of the 137 people who attended, it also resulted in 137 different opinions on how our meeting should be run.

One person vehemently stated that unless there were any other rules of order, that Robert's Rules of Order automatically applied. Another group of owners insisted that the chair controlled the meeting and made all of the decisions. Others said it was our bylaws.

After five hours we were exhausted and the meeting adjourned on a rather acrimonious tone, with nothing accomplished. Was anyone correct?

- Diana W. Richmond.

Dear Diana: Actually, the group who referred to your bylaws were the closest. Unless the strata has adopted any specific version of rules of order into their bylaws, the strata bylaws and the act prevail.

In a nutshell, all matters decided at general meetings are conducted by a majority vote unless a 3/4 or unanimous vote is required. These majority-vote issues include approving the agenda and past minutes, election of a chair for the meeting if necessary, passing of motions,

approval and amendments to the budget, election of council and even whether the chairperson has made a valid decision. Issues requiring a 3/4 or unanimous vote include bylaw amendments, special levies, changes to property use, amendments to the strata plan or court proceedings, to name a few.

Unless they have been adopted into your strata bylaws neither Robert's Rules of Order or any other rules of order have any effect over your proceedings, and never take priority over the strata act. Try to hire a qualified and competent outside person to chair your meetings. It can make all the difference and provide some much needed help for your strata.

For more information on CHOA resources and benefits visit www.choa.bc.ca
or contact the office at 1-877-353-2462 or email office@choa.bc.ca.

No part of this publication may be reproduced without the prior written permission of CHOA

This publication contains general information only and is not intended as legal advice. Use of this publication is at your own risk. CHOA will not be liable to you or any other person for any loss or damage arising from, connected with or relating to the use of this publication or any information contained herein by you or any other person.