

Condominium Home Owners' Association

Serving BC's Strata Property Owners since 1976

Bulletin: 300-224

Condo Smarts

Headline: Vote those tyrants out

Topic: Procedures and Authority of President at General Meeting

Publication date: April 22, 2007

Publication: The Province

Written by: Tony Gioventu

Dear Condo Smarts: The recent Annual General Meeting of our strata was a disaster.

Both the president of the council and our property manager insisted that we were stuck with the agenda and the budget that was approved by council and we could not make any changes.

The treasurer refused to answer questions from the 2006 financial statements, and every time an owner attempted to make a motion to correct an error, the president claimed the motion was invalid.

The meeting was finally adjourned by the president four hours later with nothing accomplished.

One of our owners suggested we use Robert's Rules of order for the next meeting. Is there a better way of holding meetings without all the conflict?

-- Mrs. T.H. Nicolls

Dear Mrs. Nicolls: The rules of order in strata meetings are very simple. They are set out in Section 50 of the Act. Decisions at council meetings are by majority vote, and at general meetings by majority vote also, except for major matters like bylaws or strata plan changes that may require a 3/4 or unanimous vote.

So the rule of thumb is, every decision, from approval of the minutes, to electing council members, approving the agenda, approving

the annual budget, appointing a recording secretary, receiving reports of council members, to finally terminating the meeting is conducted by a majority vote of the owners.

The Act most definitely permits the owners to amend the budget by majority vote at the AGM.

But to protect the rights of the owners who are not attending the meeting, the act requires the notice of meeting includes a description of the matters being voted on at the meeting and proposed wording of any 3/4 or unanimous resolutions, so adding items to the agenda is not permitted at the last minute.

The most important principle is that neither the Act or the Bylaws grants any special powers to the president or any other member of council.

If the chairperson of the meeting is not allowing motions permitted by the Act and your bylaws, then by majority vote remove the chairperson and elect another person to chair the meeting.

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.