

**Condo Smarts**

**Headline: Getting your owners involved**

Topic: Quorum

Publication date: December 6, 2009

Publication: The Province

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**Dear Condo Smarts:** Every year our strata corporation struggles with getting a quorum for our annual meeting. We're in a large strata so the numbers are even tougher to obtain with over 500 units. The Act says we need 1/3 of the voters and for us that's always 176 votes. It seems that whenever there is no trouble, no one shows up, there are few proxies and we're stuck. We have to arrange for a hall or a conference room, and then if there is no quorum we're stuck till the next week hoping the room is still available. We're going to be facing some major costs in the coming years and the few owners who do attend are always against the major repairs, so we're in a terrible cycle of failed resolutions. Do you have any suggestions on how we can get the owners to attend the meetings and take an interest in their own property? Is there any way we can overcome the quorum problem? JJ Williams

**Dear JJ:** The quorum crisis is one of the easiest problems to solve. The Strata Property Act gives permission to strata corporations to create bylaws that amend governance. Several sections of the act read as follows: "unless otherwise provided in the bylaws" or "subject to the bylaws" or "the strata corporation may, by bylaw." This is an indication that the strata corporation is permitted to amend the Act in that section, within the limitations provided. The quorum for example is 1/3 of eligible voters in the Act; however, your strata may consider a bylaw that sets a lower percentage or even a fixed lower number, or simply states that those voters present in person or by proxy within a specific period of time will constitute a quorum for the purpose of the meeting.

These are permitted bylaw amendments, requiring a 3/4 resolution at an annual or special general meeting. As always I recommend legal advice on the drafting of bylaws to ensure they comply with all relevant legislation. The other part of your question relates to a healthy and involved community. Most strata owners want peaceful use and enjoyment of their homes and for their investment to be protected. Think of your strata as a community with better communication, involvement from the owners on operations, and community building events. They all contribute to raising your owners' & tenants' participation. Several strata corporations have instituted a monthly or quarterly on-line newsletter to keep the residents informed. They host annual summer barbeques to encourage community growth, but most important they ensure their annual meeting is a well-run and respectful business meeting. Owners do not want to participate in acrimonious or confrontational meetings, or meetings that run for five hours, or meetings that are disorganized and dysfunctional. It is not always possible, but keep your annual meeting to the annual business of the strata: reports of council, insurance reports, the annual budget and the election of council. When agenda's are large, by the time you reach the end of the meeting, many voters have left, and that alone is another potential problem. Without a proper quorum bylaw, you may not have a quorum any longer and the question is raised whether you can conduct business any longer? Do you think your owners are likely to return to a future meeting when that occurs?

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