

**Condo Smarts**

Headline: What to do when council resigns

Topic: Strata Council

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**Dear Tony:** After a contentious and hostile special general meeting to approve roof repairs, all of our council resigned because the owners did not approve the special levy for the repairs. We tried a number of amendments to the resolutions, such as later payment dates, but the resolution still failed. The property manager told us we had to get a petition from the owners to call for a special meeting to elect a new council, and he would issue the notice with a new resolution for the roof at the same time. Between the delays of the petition and the notice period we have gone almost 3 months without a council. Is there not a quicker way to have the meeting to solve this problem?

*Gillian C. Surrey*

to provide you with a copy of the owners list, and check your bylaws to determine what the agenda requirements are. The most important item to remember is to put a resolution on the agenda to elect a new council, which is by majority vote. The 25% of the owners determine the agenda and resolutions, not the manager.

**Dear Gillian:** The replacement of council members in the event of a vacancy, eligibility to be elected to council and what to do when all the council resigns, are provisions of the Standard Bylaws of the *Strata Property Act* and the bylaws of your strata corporation as amended from time to time. The standard bylaws as well as most amendments, only requires a minimum threshold to call a meeting and not a petition. If all the members of the council resign or are unwilling or unable to act for a period of 2 months or more, persons holding at least 25% of the strata corporation's votes may hold a special general meeting to elect a new council by complying with the provisions of the Act, the regulations and the bylaws respecting the calling and holding meetings. Like a petition, make sure you have at least 25% of the votes represented and signed before proceeding. The notice package will have to include an agenda, and requires 14 days notice plus the notice period making it 20 days in advance of the meeting. The strata manager is required

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