

Condo Smarts

Headline: How do meetings end?

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Dear Tony; Our strata in Langley had their AGM in February. At that time we did not pass a budget because the owners were arguing about whether the budget could be amended or not. At the suggestion of the property manager, we adjourned the meeting with his instruction that the meeting would be reconvened as unfinished business in March with a new budget and the current council would prepare that information. We did elect a new council at the February AGM, and our bylaws say the term of office of a council ends at the end of the annual general meeting (AGM) at which the new council is elected. This is exactly what our bylaws say, so how did the old council end up making decisions about the new budget? The manager said the new council would not be officially in place until the reconvened meeting was over later in March. *Mrs. JW Cooke*

Dear Mrs. Cooke: You are absolutely right to question the process. The standard bylaws of the *Strata Property Act*, the bylaws of your strata and the bylaws of most strata corporations have no such provision to adjourn a general meeting. Unfinished business is simply an agenda item as directed by the Act, or a direction of the owners that requires the business item to be reconsidered again at a future general meeting. The bylaws stipulate that the meeting is terminated and give no provision for an adjournment or suspension of business to a future meeting. At the end of your AGM, the alleged adjournment, was the time when the time when your previous council terms ended and the new council as elected were in official standing. This also means that any instructions needed to be taken from the newly elected council with respects to the proposed budget and the

timing for the Special General Meeting (SGM). Your minutes do not indicate that any such suspension of council terms was voted on by the owners, and even then, it would have been contrary to your bylaws. General meetings specifically terminate and by majority vote. If there is a require for the business to be addressed at a future meeting, such as the approval of the annual budget, then a new notice must be issued for an SGM including any matters which are to be voted on and the wording of any three quarters vote resolutions. If the matter is a budget, then that proposed budget must also be included with the notice. It is surprising how frequently chairpersons and managers refuse to permit amendments to the proposed annual budget at the AGM. Section 103 (4) specifically permits the amendment of the budget before it is put to a vote. There is no restriction on the amendments, which include contributions to the contingency reserve fund. They may be an increase or a decrease and may be of any amount as a majority vote. However, remember one crucial element. If you increase the budget, the amount of the strata fees will also have to be increased to pay for the cost, and if fees change resulting from the new budget, the strata must inform the owners within two weeks of the meeting.

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