



Rules of Order for General Meetings

The rules of order at strata corporation annual or special general meetings are established by the *Strata Property Act*. Generally matters are decided at an annual or special general by majority vote of those eligible voters present (may include electronic presence if permitted in the bylaws) in person or by proxy unless a different voting threshold is required, such as a $\frac{3}{4}$ vote resolution, unanimous vote resolution, or some other voting threshold established in the bylaws as otherwise provided for the nonresidential strata lots.

For most functions at general meetings, approving the agenda, minutes of previous general meetings, the annual budget and any amendments, depreciation contingency expenses, ratifying of rules and election of council, the procedures will follow the basic rule of majority vote. While the *Act* and bylaws do not specifically require a mover and a seconder for a motion or resolution, the practice is valuable as it establishes when the eligible voters may debate the proposed motion or resolution and whether any amendments may be considered.

The role of the chairperson is to facilitate the proceedings to ensure the strata complies with the *Strata Property Act*, The Regulations, the bylaws and any amendments and the schedule of voting entitlement. They are also responsible to ensure the meeting is respectful, ordered and fair. It is not the position of a chairperson to deem that an eligible voter has nothing relevant to contribute and should therefore not be permitted to speak on issues. At the beginning of a meeting, a handout of meeting principles may be considered by the voters at the meeting to ensure the meeting runs smoothly and the procedures are followed with the interest of protecting everyone's rights.

Rules of order are often a contentious issue. There are many varieties of published rules of order, the most common in Canada and the United States being Robert's Rules of order; however, they do not override the legislative requirements of the *Act*, Regulations and bylaws. Rules of order may be

helpful in procedures, but in strata legislation they do not change function of the *Act*. Remember that if someone declares at the beginning of the meeting that Robert's Rules of order will be used to convene the meeting that is only their opinion. Always default back to the basic principle that the decisions / matters are made by majority vote. The Chairperson of the meeting, person who is either deemed to be the chair in accordance with the bylaws or elected by the eligible voters by majority vote, does not have over riding authority at the meeting. While chairpersons often issue edicts or declarations at meeting to attempt to control the process, those matters can easily be challenge by the eligible voters, and the outcomes determined by majority vote.

Strata Property legislation and the ensuing meetings are significantly different than societies and non-profit organizations. Unlike a non profit association where I may decide to quit the organization and no longer participate if I disagree with the decision making, in a strata I am exposed to the risk of all decisions and matters of the corporation. Decisions executed at meetings may easily result in an owner losing their home through financial circumstances, being the target of an unfair bylaw or action directly solely at them, restrictive covenants that limit use of common property or strata lots such as rental , pet and age restriction bylaws, and court actions resulting in serious consequences. General meetings must always be treated with the utmost of formality to protect the rights of every eligible voter present and those who are not represented. For this reason, resolutions that require a $\frac{3}{4}$ vote may not be substantially amended at the meetings. If the resolution cannot be approved in its current form, it may be necessary to issue a notice of a new meeting to ensure that every owner and interest holder may have proper notice of the new resolution.

A sample of rules of order for a meeting on the next page can be a valuable reference for a chairperson acting on behalf of a strata corporation and the eligible voters who attend the meeting. The eligible voters may by majority vote agree to the rules at the beginning of the meeting.

Rules of Order and Procedure at General Meetings

1. Each eligible voter will be given 1 voting card for each strata lot that they represent.
2. The voting card will indicate the strata lot number, which may be quoted when the eligible voter is moving or seconding a motion or amendment to a motion, and will be used to distribute and audit ballots if a ballot or secret ballot is requested.
3. Voting cards may not be transferred to any other party who has not been assigned to represent by proxy that voting card. Proxies may not be transferred to any other party unless the proxy specifically permits the transfer of the proxy to another party. If a person leaves a meeting they may not transfer their voting card or ballots to any other party unless a proxy has been registered or is permitted.
4. On each agenda item requiring a vote, the chairperson will request a mover and seconder for the motion to begin debate and discussion on the motion, or amendment to the motions.
5. During discussion and debate, all participants at the meeting must be respectful to their fellow owners, eligible voters and participants.
6. All questions or debates must be directed to the chairperson. Debate between parties on the floor is not permitted without the consent of the chairperson.
7. In accordance with the bylaws, each eligible voter and other persons permitted to attend the meeting, are entitled to speak once on each resolution/motion or proposed amendments to the resolution or motion for no longer than 1 minute. The chairperson may permit the eligible voter to speak longer if there is no objection from the voting quorum present.
8. If an eligible voter calls for the vote, the chair may decide to hold the vote if there are no objections, or seek a majority decision of the owners to end debate and hold the vote, otherwise debate continues.
9. Amendments to majority vote resolutions will be permitted if they are moved and seconded. If the proposed amendment fails to have the support of a seconder, the proposed amendment shall be deemed to have been defeated.
10. Amendments will be voted on one at a time, and other amendments shall not be considered until the previous amendment has been voted on.
11. Once debate is complete on the resolution and any amendments, the vote must be conducted in accordance with the bylaws of the strata.
12. Any votes that require ballot, secret ballot or an accurate count will require the election of 2 scrutineers to be determined by majority vote of the eligible voters.
13. Amendments to $\frac{3}{4}$ vote resolutions must be determined by the chairperson whether they are substantial in nature or are permitted. If an amendment is not substantial and is permitted, the amendment must be moved, seconded, and after debate, voted on by $\frac{3}{4}$ vote resolution.
14. Whether a decision relates to an amendment to a $\frac{3}{4}$ vote, majority vote or other matter at the meeting, the owners may challenge a decision of the chair by majority vote. If they challenge the chair, the matter must be voted on without debate.
15. If a vote is for the purpose of electing council, the nominated council shall be either elected by majority of voting cards shown, or if a ballot or secret ballot is called, those council members who receive a majority of the votes cast as issued for each voting card, shall be elected to council.
16. All decisions of the chairperson, and motions and resolutions of the voting quorum must be recorded in the minutes of the meeting.
17. Any person who acts as the chairperson, registrar, secretary or scrutineer of the meeting must declare any conflict of interest before the meeting commences.
18. Unless a $\frac{3}{4}$ or unanimous vote resolution is required, all other matters relating to procedure will be voted on by majority vote.