

Strata Living

Headline: Voting

Topic: Voting

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Dear Tony: At our strata corporation AGM last week we had a dispute over how the votes were counted. The strata manager announced at the beginning of the meeting that we had 60 owners present in person and by proxy and that we would require 45 votes to pass any three quarters vote resolutions. When we came to the vote on the bylaw amendments, 42 owners voted in favour, 11 were opposed, 5 voters had left the meeting and 3 abstained. The vote was declared as defeated. An owner contested the vote was not counted correctly. The manager advised that the minimum 45 had not been reached. The meeting recessed for 15 minutes while we scoured the Act with no success. Was the vote counted correctly?

Jeremy H. Coquitlam

Dear Jeremy: The definitions under part one (1) of the Strata Property Act is where you will find many of the basic interpretations that you are looking for. There is a simple rule for counting votes or ballots under the Strata Property Act. When it comes to the voting, whether it is a majority vote or three quarters vote, only those votes that have voted for or against the resolution are used to calculate the minimum number required. Where 42 owners vote in favour and 11 are opposed, that total is 53 votes cast. Three quarters of 53 votes is a minimum of 39.75 votes required to pass; therefore, the resolution

passed. It is still important to call and report abstentions as they may verify a quorum is still present at the meeting. The registration numbers are only essential for a quorum report.

If your strata corporation includes both commercial and residential strata lots, the voting must be reported with accuracy as the commercial strata lots generally do not have 1 vote per strata lot, so it essential that you take an exact count, and that voting cards and ballots list the actual number of votes per unit.

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