

Strata Living

Headline: Voting Rights

Topic: Voting

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Dear Tony: Your column last week addressed vote counting and that has already resolved a serious conflict in our strata corporation. The voting procedures however are another matter in our strata. Our strata president basically controls the meetings, counts the votes, collects ballots if any, and does not allow anyone to participate in the process. Is this normal? As a 38 unit strata building, it seems unreasonable that one person has control over our property.

Jennifer S. Burnaby

Dear Jennifer: The Strata Property Act sets a very good definition and interpretation for voting procedures at general meetings of the strata corporation. Section 50 of the Act defines that matters are decided by a majority vote at general meetings, unless a three quarters or unanimous vote are required. While it is a short section of the Act it is very important in understanding how procedures are conducted at general meetings. Whether your meeting is chaired by your president, vice president, strata manager or another elected chairperson, the decisions on procedures essentially remain with the voting quorum of owners at the meeting. Under the Standard Bylaws of the Act, when a vote is called for a resolution, any eligible voter may request a secret ballot. A secret ballot requires paper ballots that are issued to each eligible voter and

proxy and those ballots are placed into a designated ballot box. The strata corporation should also ensure that there is a secret balloting station to ensure the privacy of voters and protect the secrecy of their voting rights. This is the point where the owners by majority vote have the opportunity to make decisions that ensure fairness in the balloting and counting procedures. The owners, by majority vote, may elect scrutineers (counters) who will be responsible to count the ballots and report the outcomes to the chairperson, who in turn reports the results to the owners for the record. To ensure there is no risk of tampering, the ballots should be counted in the room where the meeting is being conducted. Once the ballots are counted and reported, the owners either at that time or at the end of the meeting may retain the ballots for the record or vote to destroy the ballots. Many of the decisions at an Annual or Special General meeting are within the authority of the owners. Exercise your majority voting rights.

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