

Strata Living

Headline: Who Chairs Meetings?

Topic: Strata Council; meetings, AGM/SGM chair

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Dear Tony: Our strata council have been having some power struggles with our property manager. He has decided to take over the chairing of our council meetings and last night insisted on chairing our annual general meeting. No one at the meeting objected so we just it proceed, but we are concerned that we are not following our bylaws or the Act. Who is really supposed to chair meetings?

Gwen D. New Westminster

Dear Gwen: The chair of meetings is determined by your bylaws and the standard bylaws of the Strata Property Act. They require the president of council, or failing the president the vice president to chair all general meetings and council meetings. In the event they are unwilling or unable to chair the meeting, a chairperson may be elected from those persons present, which could include the property manager. That requires a majority vote decision of the eligible voters at the meeting. Exercise caution however as there are a number of strata corporation bylaws that only permit an eligible voter to be elected as chairperson. In that case it would have to be an eligible voter such as an owner or proxy holder. Because the strata manager is not permitted to hold processes they could not be elected to chair the meeting under these circumstances. Unless your strata bylaws are amended, there is no provision for anyone

other than a council member to chair council meetings, and be especially cautious when council are conducting hearings. Hearing demands or bylaw enforcement hearings are convened council meetings and the strata corporation must be conforming to their bylaws and the Act as these are often contentious and potentially litigious situations. I checked Gwen's bylaws to find that they do require an eligible voter to chair their meetings and that the manager is not permitted to chair their meetings. A complete set of the current strata bylaws on hand will save you plenty of trouble.

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