

Strata Living

Headline: Who counts votes?

Topic: Voting

Publication date: July 4, 2013

Publication: 24 Hours

Written by: Tony Gioventu

Dear Tony: Our annual general meeting ended up being a gong shows last week. We are a 110 unit highrise, and there has been a lot of animosity between council members and control of our council. At the meeting, a vote was called for the election of council, 12 people were nominated and the elected chairperson declared that only he and the manager would count the votes. Once the ballots were collected, they left the room and came back to announce the old council had been elected. After talking to several owners who held a significant number of proxies, it was obvious the vote was rigged. How do we stop this?

Carolyn L. Vancouver

Dear Carolyn: The simple rule of business at all general meetings of strata corporations comes from section 50 of the Strata Property Act. Unless a higher vote is required, matters at general meetings are decided by a majority vote of the owners. Neither the president, chairperson or manager has the authority to impose decisions at these meetings. While they may be required to make decisions over procedure, the eligible voters at the meeting can always challenge the decision of the chair, and by majority vote over turn that decision. Follow simple steps to keep voting, balloting and elections clean. Voting cards are always issued. If a secret or polled ballot is requested, a ballot is issued for each voting card. Ballots are

placed into a voting box next to a private voting booth. Ballots never leave the room during the meeting. A scrutineers table is set up in the corner where the scrutineers, who elected by the eligible voters by majority vote, count the ballots and report the results to the chairperson. The chairperson announces the results, with an exact count if the resolution is a three quarters or unanimous vote, or if anyone requests an exact count. Ballots are retained unless the owners by majority vote elect to destroy the ballots, which may not always be advisable if the votes are potentially contentious or complicated. Vote manipulation is quite easy to achieve if the strata owners do not demand transparency.

For more information on CHOA resources and benefits visit www.choa.bc.ca
or contact the office at 1-877-353-2462 or email info@choa.bc.ca.

No part of this publication may be reproduced without the prior written permission of CHOA

This publication contains general information only and is not intended as legal advice. Use of this publication is at your own risk. CHOA will not be liable to you or any other person for any loss or damage arising from, connected with or relating to the use of this publication or any information contained herein by you or any other person.