

Strata Living

Headline: Counting Votes

Topic: Voting

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Dear Tony: Our strata annual meeting last week ended up being a gong show. Under Robert's Rules of Order, the president of our council ran the meeting with an iron fist and refused to allow anyone to discuss motions, or make amendments to the budget. While the meeting was finished in only 45 minutes, there were many issues that were not addressed. We passed 3 new bylaws, all of which were necessary, but in looking at the minutes of the meeting, the newly elected council are not sure they passed. The result said the resolution carried, but the numbers don't add up. We have 44 units and only 21 people voted in favour of the resolutions. With 15 yes, 5 no and 1 abstained. Seems trivial, but we don't know what to do next?

Carla Ballard

Dear Carla: Calculating the votes is the easy part; however, if your strata corporation has adopted Robert's Rules of Order as part of your bylaws that may create calculation complications. Under the Strata Property Act, and provided you have a quorum, the votes for majority votes and three quarter votes are calculated on only those units that have vote for or against a resolution, and who have not abstained. So in your case the resolution appeared to have been calculated and reported correctly. $15+5=20$, and three quarters of 20 is 15 so the bylaw resolutions would have carried.

The total number of units is only relevant to the application of quorum, along with the calculation of eligible voters and your quorum bylaws. It is also used to determine when a resolution may be acted upon. If less than 50% of the strata lots have voted in favour of a three quarters resolution, the strata corporation must wait for a period of 7 days before they proceed with the resolution. In your case, filing of the bylaws. The reason is, a petition of the owners within 7 days of the meeting, may demand a reconsideration of the vote, and a meeting would have to be reconvened for the owners to re-vote on the three quarters resolutions. It is critical if a strata corporation has commercial units to remember that their voting is not one vote per strata lot, and that residential and commercial must both ratify the bylaws by three quarters vote separately. Next week, how to deal with a militant chair person.

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