

Strata Living

Headline: Condo Living

Topic: AGM/SGM; notice

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Dear Tony: We had a technical problem come up at our annual meeting on Saturday and not sure how to solve the issue. A group of owners are unhappy with our strata manager and as a result they are constantly attempting to hijack our meetings. When it came to the agenda item "proof of notice" the manager called for a vote on the item, and it was defeated. As a result, one of these owners declared that notice had not properly been given and demanded that the meeting be adjourned. No one knew what to do so we adjourned the meeting. Now what do we do?

Marta P.

Dear Marta: For some unknown reason, strata councils and managers have started requiring owners to vote on reports at general meetings. This is not a requirement of the Strata Property Act. The only real action you generally take would be to receive a report. Because the report or declaration is the information provided by an individual, agent of the corporation or the corporation, there is generally nothing to vote on. The downside of voting on reports or notices is obvious by your experience. The result is a defeated notice that should never have been voted on. Proof of notice is simply a declaration at the meeting to establish when notice was issued, the method it

was issued and who it was issued to. For example, at a meeting convened on November 21, the proof of notice may read: " notice was issued by the strata manager on behalf of the strata corporation on November 20th, and delivered by Canada Post to the registered owners and strata lots address on the record."

The purpose of the notice/declaration in the minutes is to include for the record that the notice was issued meeting the time periods of notice set out by the legislation. With the introduction of electronic communication, strata corporations may also issue notice by email or other electronic forms provided the owner of the strata lot has consented and provided an email/electronic address for the notice. There may also be reports on the Insurance, Buildings, Financials, Gardens or Social Committees in a strata corporation. They are simply information for the receivers of the notice and eligible voters at the meetings. If you are voting on an item that is a report or notice for the agenda, be careful you are not approving a document that may or may not be accurate, or there is a risk the report or notice could be defeated.

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