

Strata Living

Headline: New Changes to the Strata Act
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Written by: Tony Gioventu

Dear Tony: The annual general meeting for our strata corporation is in mid May. Three of the resolutions on the agenda are for the approval of repairs to the building, but they are all written as a majority vote. I contacted our property manager who advised that the legislation has now changed permitting strata corporations to approve expenses for repairs from the contingency fund by majority vote. Could you please write about these new changes as we cannot find them posted anywhere.

Jill Morris

Dear Jill: The changes that were recently adopted have very specific conditions that apply to the type of vote that is required for the use of the contingency fund. Section 96 of the *Strata Property Act* has been amended to now permit two new conditions. The first is the expense of a depreciation report may now be approved from the contingency reserve fund by majority vote. The second applies to the repair, maintenance or replacement of common property, common assets or portions of a strata lot that the strata corporation has taken responsibility for under their bylaws. Under this condition, if the most current depreciation report recommends repairs, maintenance or replacement, the funds for those recommendations may be approved by majority vote from the contingency reserve fund. There are very clear requirements for this condition to apply. A) The strata corporation has a depreciation report B) The depreciation report recommends the action C) The strata corporation has the funds available in their contingency reserve fund D)

The strata corporation approved the resolution by a majority vote at an annual or special general meeting.

If you notice the recent changes to the legislation, it will become obvious that the culture of saving and spending on building maintenance and repairs are become much easier. If our strata corporations meet all of the conditions of the legislation, we can now save any amount by majority vote, and approve the expenses for the recommended repairs by majority vote. The updated changes in legislation can be found @ bclaws.ca or choa.bc.ca

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