

## Strata Living

Headline: Rogue council  
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**Dear Tony:** I am a new council member on my strata of 84 units in Vancouver. We have not yet had our first council meeting, but we have been told by the past president of council that as approved by the owners at the AGM he has signed the new management contract, and the new rates for 2014-15. I don't want to create confrontation already, but where does this person get the authority to sign this contract without consulting the rest of council?

*Deanna WJ*

**Dear Deanna:** Unless your bylaws otherwise grant specific additional authority to council members, or your council have met and voted to give that person authority for this matter, or it is an emergency, this person did not have the authority to sign the contract or approve the amount. Under the terms of the contract you provided, the strata management company are expected to understand and comply with the instructions of council and the *Strata Property Act*, your bylaws and procedures, so they should also be aware this person did not have this authority. In accordance with the Act and your bylaws, council member terms terminate at the end of the annual general meeting (AGM); therefore, this person was no longer the president, and had no delegated authority to sign the contract. When the owners approve the annual

budget at an AGM, they are authorizing council to negotiate the contract and spend the approved funds. They are not approving the increase to the contract or new terms of the contract.

It doesn't have to be confrontational to call a council meeting and ask questions about the procedures and authority. It would be helpful for your strata council to meet as soon as possible and discuss your decision making procedures, elect your officers, review your operational procedures, your approved budget and resolutions, your maintenance and repair schedules, your depreciation report, and establish a clear understanding of your bylaws and the roles each of you will play on council. Take this as an opportunity to educate your council and enable them to function as a cohesive group to represent your owners. If the terms or rates of the contract are not satisfactory, seek some legal advice on how to address this issue to the interest of your strata corporation.

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