

MINUTES OF COUNCIL MEETING

STRATA PLAN LMS-3432

THE PARK

HELD: On Wednesday, April 22, 2009 at 6:00 p.m. in the Amenities Room, 1723 Alberni Street, Vancouver, BC.

PRESENT:

Teri McEachem	President	#2402
Mike Fong	Vice President	#1777 (TH)
Gaye Alcott Fleet	Treasurer	# 907

REGRETS:

Ravi Singh	Security	#1401
Robert Trapp	Landscaping	#1707

STRATA AGENT: Bunny Porteous, Vancouver Condominium Services Ltd.

The meeting was called to order at 6:04 p.m.

COUNCIL RESIGNATION

Council was in receipt of the resignation from Alain Boisset due to the sale of his unit. Council would like to thank Alain for his exceptional contributions to the strata administration.

BUILDING MANAGER'S REPORT

The council reviewed the building manager's report for the month of March with the following highlights:

- Power washed pavers on entrances, walls and parkade ramps.
- Power washed bicycle rooms.
- Completed painting of various locations around parkade, elevator, lobby, walls and stairwells.

MINUTES

It was moved, seconded and carried to adopt the minutes of the March 24, 2009 council meeting, as circulated.

FINANCIAL REPORT

1. **Monthly Statement:** Following review the council approved the March 2009 financial statement, as presented. Any owner wishing a copy of the strata corporation's financial statements should contact Vancouver Condominium Services Ltd. during regular business hours, 9:00 a.m. to 4:30 p.m., Monday to Friday.
2. **Account Balances:** The current balances for the 6th month ending March 31, 2009 in the appropriate funds are as follows:
 - Total Cash Balance \$829,704.16 (Including CRF Balance)
 - CRF Balance (Apartment) \$ 85,288.73 (Contingency Reserve Fund)
 - CRF Balance (Joint) \$161,257.72
3. **Arrears:** The agent advised council that there are several owners who have yet to submit payments for the special levy passed at the AGM on November 27, 2008.

IMPORTANT NOTICE

A special levy “Exterior Maintenance Project” was passed on November 27, 2008. As a matter of financial convenience the owners may pay the special levy over a period of 12 months. Any owner who fails to make payments in accordance with the resolution shall be assessed a fine of \$100 each month until such payments are received. The strata corporation may further add interest charges on overdue payments at the rate of 10% compounded annually.

BUSINESS ARISING

1. **Exterior Maintenance Project:** The council is proceeding to review the consulting service contract from Levelton Engineering to proceed with the specs tendering process, field review and contract administration of the Exterior Maintenance and Repair project. Once the contract is approved, the engineers will proceed to prepare the specifications/designs to be submitted for tender.
2. **Security:** Shield Security Services will replace Inter-Globe Security as the contractor providing security for the building.
3. **Building Maintenance:** A report was received from Milani Plumbing to advise that the evaporative coil and condenser coil for the make-up air unit located on the roof has deteriorated to the point where they are not safe to operate and require replacement at a total cost of \$12,016 plus GST, including a one-year warranty.

The council agreed that, in order to protect the integrity of the make up air unit, the evaporative/condenser coils should be replaced. The council has scheduled a Special General Meeting on May 25, 2009 to present a ¾ vote resolution to replace the evaporative and condenser coils at a total cost of \$12,016 to be funded from the Contingency Reserve Fund (Joint).

4. Landscaping: No report available.
5. Insurance Protocol: The council is proceeding to implement maintenance procedures for owners' convenience to adhere to in order to prevent costly water damages within their unit. The preventative maintenance management program would include replacing washing machine/dishwasher hoses, maintaining water shut-off valves, toilet wax seals, fridge water lines etc. The council is also proceeding to implement rules for owners who have rental units and will be required to prevent documentation of regular unit inspections (every six months) to ensure no illegal activities are taking place in the strata lot. The strata corporation insurance renewal policy requests the strata corporation implement protocols to prevent meth labs to curtail further water damage claims in order to reduce the current \$100,000 insurance deductible for all water damage/sewage backups.

IMPORTANT BULLETIN

As an owner of The Park, you are alerted to the fact that the strata corporation LMS-3432 has an insurance deductible for water claims of \$100,000. This means that you are NOT insured for the first \$100,000 of ANY water loss claim. You should discuss this matter with your personal content insurance provider and provide your own coverage in order to protect yourself should an incident involving water damage claim occur.

6. Unit #406 – Leak: VCS was contacted on March 10, 2009 to investigate a leak in the lobby area and discovered Koala-T Plumbing was onsite in unit #406 to replace a water shut-off valve in the kitchen and had accidently broken a pipe during the replacement causing water damage to units #406, #405, #403 and #307.

Barclay Restoration was contacted to complete the emergency restoration repairs as required. BFL Insurance was contacted and advised that the loss of damage in this incident would not exceed the applicable deductible of \$100,000 under the strata corporation's insurance policy.

BFL Insurance was retained to act on behalf of the strata corporation for a maximum fee of \$1,500 (self-insured retention adjusting services) to liaise between the contractors, owners and insurers for the owners.

The *Strata Property Act* requires a corporation to repair and maintain common property and common assets only.

A letter has been submitted to the owners of units #406, #405, #403 and #307 to advise that any and all repairs of the strata lots made necessary as a result of this occurrence are at the expense of the individual strata lot owners and/or their personal insurer if applicable.

The council approved Barclay Restoration to complete the water damage repairs in the common areas. The owner has accepted responsibility for the costs of the emergency restoration, common area repairs and the required security watch while the fire panel was repaired at a total estimated cost of \$46,000.

7. Unit #701 – Toilet Tank Leak: On Friday, April 10, 2009 Milani Plumbing was dispatched to investigate a leak in unit 501 and discovered the float in the toilet tank of unit 701 had broken causing water damages in units 701, 601 and 501.

When lifting the toilet tank's lid, it was noticed that the toilet tank's floating valve had broken and because it was not closing the water surplus was overflowing the toilet tank's rim. The building manager immediately turned off the toilet shut off valve. Barclay Restoration was contacted to complete emergency repairs in unit #701, #601 and #501 as required. The agent contacted the owner of unit #701 (non-resident) to report the incident and advise that, as the toilet tank is an owner's responsibility, the owner would be responsible for the cost of the emergency repairs for the 3 units and plumbing repairs restoration. Letters have been submitted to the owners of units #601 and #501 to advise the cost of the damages would not exceed the strata corporation's applicable insurance deductible of \$100,000 under the strata corporation's insurance policy. The *Strata Property Act* requires a corporation to repair and maintain only the common property and common assets. Any and all repairs to the strata lots made necessary as a result of the occurrence of the flood are at the expense of the individual strata lot owners and/or their personal insurance.

IMPORTANT

Owners are highly recommended to complete regular maintenance checks within their units to prevent costly water damages and expenses to the owners as noted in the last two leaks/floods.

8. Keys/Emergency: Residents (especially non-resident owners) are highly recommended to leave keys for their unit with the building manager to access the unit in case of emergency to minimize water damages if at all possible. Please contact the building manager (604-697-3999 if interested).

9. Rentals/Form K's: VCS is updating the rental database for The Park and it has been noted that there are numerous owners who have yet to submit Form Ks for their units. Letters have been submitted to the owners along with Form Ks to be completed and returned to VCS within 10 days as per the strata corporation bylaws, or a violation fine will be charged to the owner's account. It is EXTREMELY important that VCS and the building manager have contact numbers for all owners and tenants in case of emergencies.

CORRESPONDENCE

Owners are invited to write council via the management company regarding any strata matters.

1. Correspondence was received from an owner with recommendations for the exterior maintenance project and maintaining the website. The council will take the recommendations into consideration.
2. A letter was received from an owner in response to a letter received from the strata corporation denying reimbursement for an invoice from Milani Plumbing to investigate a leak in the owner's unit. The owner's request was denied as the owner contacted Milani Plumbing.
3. A letter was received from a townhouse owner requesting investigation of a leak within the unit. Levelton Engineers were contacted to investigate and submit a report for council's review.

The owner has also noticed an increased dropping of cigarette butts from the upper levels of the tower and recently noted a piece of carpeting tossed from the tower onto the owner's balcony.

Not only is tossing items out of a window a huge concern of endangering someone below, it is also causing an unsightly mess.

Residents are required to be security conscious and if you note any resident tossing items out of their windows, please contact the police and VCS immediately. A monitoring system has been established to watch for this criminal behaviour.

4. Correspondence was received from an owner concerned with excessive noise emanating from a unit on the 6th floor, at times until 5:30 a.m. The owner is also concerned with the cigarette smoke filtering into their unit. The agent has submitted a letter to the owners to advise of the strata corporation bylaws regarding excessive noise and interference with the owner's rights to enjoyment within the unit. The City of Vancouver bylaws and *Tobacco Control Act* does not permit smoking within six metres of an entryway, open window or air intake of a building.

NEW BUSINESS

1. **Gas Pilot Lights - Fireplaces: The council highly recommends residents turn off the pilot lights for their gas fireplace during the summer as an energy/cost saving measure for the strata corporation. Although your fireplace is not turned on during warmer months, gas consumption will be used and heat will continue to exert from the fireplace unless the pilot light is turned off. If you require assistance with turning off and on your pilot light, contact your concierge.**

There being no further business, the meeting was adjourned at 7:45 p.m. The next meeting will be held on Monday, May 5, 2009 at 6:00 p.m. followed by the Special General at 7:00 p.m.

Bunny Porteous
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BP/af

A WORD OF APPRECIATION

Many thanks to all owners who provide their monthly strata fees promptly and without problems - either by PAC or post-dated cheques. Your co-operation is most appreciated. Please remember if you write cheques, to make them payable to your strata plan and to identify your suite number or strata lot. Payments are due on the first of each month.