

VANCOUVER CONDOMINIUM SERVICES LTD.

400 - 1281 W. GEORGIA STREET, VANCOUVER, B.C. V6E 3J7

**** IMPORTANT ****
NOTICE TO RESIDENTS
STRATA PLAN LMS-3432
THE PARK

OWNERS INFO MEETING
EXTERIOR MAINTENANCE PROJECT

Owners are highly encouraged to attend an information meeting on Wednesday, October 21st at 7:00 p.m. to review the scope of work for the exterior maintenance project and the potential increase of costs to complete the project and go forward strategies. Project info available in the Sept minutes

Levelton Engineers will be attending the meeting to review the project and answer owners' questions.

DATE: Wednesday, October 21, 2009
TIME: 7:00 p.m. - 9:00 p.m.
PLACE: Amenity Room, 1723 Alberni Street

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Bunny Porteous: Strata Agent
Strata Plan LMS-3432

LMS-3432/Notices/Exterior Maintenance Project.doc

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MINUTES OF COUNCIL MEETING

STRATA PLAN LMS-3432

THE PARK

HELD: On Thursday, September 24, 2009 at 6:00 p.m. in the Amenities Room, 1723 Alberni Street, Vancouver, B.C.

PRESENT: Teri McEachern President #2402

REGRETS: Mike Fong Vice President #1777 (TH)
Gaye Alcott Fleet Treasurer # 907
Ravi Singh Security #1401

STRATA AGENT: Bunny Porteous, Vancouver Condominium Services Ltd.

The meeting was called to order at 6:00 p.m.

PRESIDENT'S REPORT

The last strata council meeting was held July 27, 2009. At that time, council had five members. In early August, one council member resigned. The regularly scheduled council meeting for August could not be convened due to this resignation, as our bylaws specify council must consist of five members. Notices were posted in August inviting owners to volunteer for council positions and informing owners no decisions could be taken until a council could be established. Fortunately, two owners agreed to join council in early September. These new members were accepted to council at the September 24, 2009 meeting. During this time, important activity has been taking place related to the Building Envelope Project and many other activities, including bike lane implementation on Alberni, a piping review, insurance claims etc. The burden on some councillors and Vancouver Condominium Services has been substantial during these past months. If you would like to volunteer your time and energy to protecting and maintaining your asset, please join council at the Annual General Meeting scheduled for Wednesday, November 25th.

NEW COUNCIL MEMBERS:

The council would like to welcome Ingrid Northwood and Liz Faulkner to the council to assist with the administration of the building. Ingrid Northwood has agreed to oversee the landscaping of the building with Premier Landscaping and Liz Faulkner has volunteered to review the strata corporation rules and bylaws.

BUILDING MANAGER REPORT

Council reviewed the Building Manager's Report for the months of August/September with the following highlights:

- Power washed parkade entrance and garbage bay.
- Ace Window Cleaning completed the window cleaning of all inaccessible windows.
- Exterior Dryer Vent cleaning completed by National Air Technologies.
- Service Master completed the major common area hallway carpet cleaning and amenity room carpet and upholstery.

MINUTES

It was moved, seconded and carried to adopt the minutes of July 27, 2009 council meeting, with the following amendment:

- The council meeting was held on July 27th NOT July 22nd.

FINANCIAL REPORT

1. **Monthly Statements:** Following discussion, the council approved the July and August 2009 financial statements as presented. Any owner wishing a copy of the strata corporation's financial statements may 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 11th month ending August 31, 2009 in the appropriate funds are as follows:
 - Total Cash Balance \$1,542,687.07 (including CRF Balance)
 - CRF Balance \$ 79,396.22 (Contingency Reserve Fund)
 - CRF Joint \$ 182,447.31 (Contingency Reserve Fund)
3. **Arrears:** The agent advised council that payment has been received in full from one of the six units with liens filed against their strata lot. The agent was directed to contact the strata corporation's legal counsel to begin foreclosures on the units with liens filed on their accounts for significant outstanding balances. As per the bylaws, \$100 late fines have been assessed against the owners' accounts on a monthly basis until payment in full is received.
4. **Annual General Meeting:**
 - (a) **Date:** AGM has been scheduled for Wednesday, November 25th at 7:00 p.m. in the Amenities Room.

- (b) Budget: The agent distributed an updated draft budget for council's review for the upcoming fiscal year end commencing October 1, 2009. The draft budget is for discussion purposes only. Once the draft audit is completed, the budget will be finalized and attached to the AGM notice.
- (c) Agenda: $\frac{3}{4}$ Vote Bylaw Amendment Resolutions will be presented to the owners:
- Rental Bylaw:
 - Illegal Use of Strata Lot
 - Permit Entry to Strata Lot

BUSINESS ARISING

1. Exterior Maintenance Project:

- (a) Townhouse Repairs: A Building Condition Assessment was completed on the Townhouses and Tower by Levelton Engineering in 2008 and owners were requested to complete a survey outlining exterior and interior issues within their units (15 surveys received). The Building Condition Assessment was completed along with the owners' concerns identified. Levelton submitted an estimated quote in the amount of 1.2 million to complete a preventative maintenance program on the Tower and repairs to the Townhouses (Approximately \$1,000,000 for the Townhouses and \$200,000 for the Tower). The owners voted in favour at the AGM in November 2008 to approve \$1,400,000 to complete the exterior maintenance/repair project.

At the Information Meeting held on November 5, 2008 Levelton Engineers made it clear that additional investigation of the townhouses would be necessary before they could determine the exact scope of work required.

Since the time when the estimate was prepared to the time when the project was tendered, several owners of the Townhouses identified water related issues and additional investigations were carried out necessitating the scope of work to be increased.

Some of the main changes in the scope of work include:

- (i) Replacement of all doors and windows adjacent to the balconies and patios
- (ii) Waterproofing of ground floor patios
- (iii) Replacement of operable window units not adjacent to balconies or patios.
- (iv) Repairs required to main entrance staircase adjacent to bathrooms which were not reported to Levelton during the review and were only raised lately during the course of the additional investigations.
- (v) Replacement of swing doors.

The above scope of work was established to address the above grade water ingress concerns sustained by the townhouse building:

Levelton submitted the scope of work for the Townhouses out to tender to four professional contractors and the following bids were received:

<u>Bidder</u>	<u>Total \$ Incl GST</u>	<u>Duration of Work</u>
• JLK Projects Ltd.	\$1,635,000	33
• Weatherguard Restorations	\$1,759,700	40
• Steelhead Contracting	\$1,911,300	48
• Peak Restoration Services	\$2,293,200	49

The above list of amounts consist in general the replacement of all doors, including new glass canopies over windows at balconies and patios as well as replacement of operable window units that are misaligned but not located at balconies; replacement of the balcony and patio waterproofing membrane including removal and replacement of planters, waterproofing of window and door openings, installation of new deck sheathing insulation and repairs beneath the main entrance stairway adjacent to the bathroom.

Levelton Engineers reviewed the bid analysis and has recommended the strata corporation award the Townhouse Repair Project to the lowest bidder, JLK Projects.

The following is the budget outline of total cost for the Townhouse repairs based on JLK's bid and including engineering and contingency taxes.

• Construction Costs	\$1,635,000.00
• 15% Contingency	\$ 245,250.00
• Engineering Costs	<u>\$ 124,000.00</u>
Sub Total	\$2,400,250.00
Taxes 5% GST	<u>\$ 1,00,212.50</u>
TOTAL COST	<u>\$2,104,462.50</u>

The price also does not take into account the effect of the 12% HST which has been proposed to come into effect on July 2010. This is a substantial increase to the amount of funds raised at the Annual General Meeting on November 2008 of \$1.4M, and the council has scheduled a meeting with Levelton Engineering to review the bid summary and scope of work. The tendered bid is open for 60 days.

- (b) Tower Maintenance Project: Levelton Engineers have submitted estimated quotes to complete the Tower maintenance which is higher than anticipated.

The council has scheduled a meeting with Levelton Engineers to review the tendered bids for the townhouse repairs and estimated quotes for the Tower Maintenance Project.

An owners' Information Meeting will be held on Wednesday, October 21st at 7:00 p.m. to review the scope of work for the Exterior Maintenance Repair Project and the increased costs to complete the project and go forward strategies.

A $\frac{3}{4}$ vote resolution will be presented to the owners at the AGM in November to raise the additional funds required for the project.

2. Security: No report available.
3. Building Maintenance:
 - (a) Paint Touch-up Quote: The agent was directed to obtain a second quote to complete paint touch-ups in the common area hallways and lobby area to be included in the new fiscal year budget.
 - (b) Evaporator/Condenser Coil Replacement: Milani Plumbing & Heating has completed the installation of the evaporator and condensing coils for the makeup air unit on the rooftop which provides heat to the common area hallways at a total cost of \$12,016 (approved at the AGM in November 2008 to be funded from the Contingency Reserve Fund.)
4. Landscaping: Council member Ingrid Northwood has volunteered to be the landscaping liaison between the strata council and Premier Landscaping. The agent will contact Premier Landscaping to advise.
5. Fire Panel: Firepro Fire Protection was contacted to investigate the ongoing fire panel trouble signals and recommended the cleaning of the smoke detectors in all common areas as this was probably an air quality issue. The work has been completed and the building manager will monitor the fire panel.
6. Insurance Protocol: In order to comply with the "subject to" clause contained in the strata corporation's insurance policy for BFL Canada, (December 31, 2008), the strata corporation is required to follow specific protocols and procedures to insure no meth labs or water damage claims are impacted. The strata council created the following list of protocols and procedures to be adhered to:
 - Rental Unit Inspection (6 months) Bylaw
 - Illegal Use of Suite Bylaws
 - Insurance/Owner/Tenant Bylaw

- Mechanical Maintenance Manual
- Continued education on in-suite maintenance to residents
- Plumbing assessment
- Exterior Building Maintenance Manual

The list has been submitted to BFL Insurance to review and advise if this will assist to lower the \$100,000 deductibles for water damages, all perils, sewer back-up and floods.

IMPORTANT INSURANCE REMINDER

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. 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.

7. Sprinkler Leak: On June 26th, Firepro Fire Protection was contacted and discovered a leak in a sprinkler pipe in the wall of an owner's bedroom, causing water damage to the flooring and drywall. Firepro repaired the sprinkler pipe and Barclay Restoration completed the emergency restoration repairs.

The agent was requested to obtain a legal opinion whether the strata corporation was responsible to complete the repairs in the strata lot as the cost of the repairs in the amount of \$3,983.70 was below the \$100,000 insurable deductible. A legal opinion was received confirming the strata corporation is under no statutory obligation to repair resultant damage but was required to repair the sprinkler pipe. The strata corporation's legal counsel has submitted a letter to the owners to contact their personal insurer to replace the laminate floor which is a betterment to the original carpeting in the bedroom.

8. Plumbing Assessment: McCuaig & Associates is proceeding to complete an assessment of the domestic hot/cold plumbing systems at 1720 Alberni at a cost of \$4,500 (risk management procedure) as per the required insurance protocol outlined in the strata corporation's insurance policy.
9. Bike Lane: Council has been in contact with the City of Vancouver over the lack of access to the building for moves and deliveries; lack of parking; inadequate bike lane markings near the garage entrance; as well as the increasing risk to pedestrians trying to cross Alberni at Bidwell Street. A City Inspector will be conducting a site review in the near future. We will keep residents posted on our on-going discussions.

CORRESPONDENCE

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

1. A letter was received from the owners of unit #501 requesting reimbursement for ceiling damage repairs in their unit caused by a plugged toilet in unit #701. A letter was sent to the owners who sustained damages from toilet failure in unit #701 to contact their personal insurers to repair the damages in their unit as the total damages are below the strata corporation \$100,000 insurance deductible. The agent was requested to submit a letter to the owner to supply the name of the insurer for unit #701 to provide to their personal insurer.
2. A letter was submitted to the owner of a unit on the 24th floor requesting they contact their tenants to lower their music and television as they have been contacted on several occasions to no avail, as this has become very disruptive to neighbouring units.

Strata corporation bylaw 4.1(b) reads:

- 4.1 *An owner, tenant, occupant or visitor must not use a strata lot, the common property or common assets in a way that:*
- (b) *causes unreasonable noise, unreasonably interferes with the rights of other persons to use and enjoy the common property, common assets or another strata lot,*

3. A letter was received from an owner concerned with soap back up in their washing machine.

A REMINDER TO ALL RESIDENTS

- Vancouver has soft water and 1/3 of the recommended detergent should be used.
- Do not overload your washing machine
- Powdered detergent is better than liquid
- Liquid fabric softener is bad for the system
- More soap does not clean clothes any better but could create costly damages to residents due to blocked drains from over usage of soap.

4. Several complaints have been received regarding the resident on the 18th floor with a Pitt Bull dog. It has also been noted that the residents are continuing to bring their bikes through the lobby area which is against policy. The agent was directed to submit a letter to the resident on the 18th floor to advise of the strata corporation bylaw 4.9 which states:

- 4.9 The following breeds of dogs are prohibited from being on the strata property at any time:
- (a) Pit bulls, American Pit bull terriers, Staffordshire terriers, American Staffordshire terriers, and any dog whose breeding includes the aforementioned breeds.
 - (b) If any of the breeds set out above currently reside in the building, they must be muzzled at all times they are on any part of the common property or outside of the strata lot. (April 14, 2003)

The resident is requested to immediately remove the dog and to store their bike in the bike room.

5. A letter was received from an owner requesting council's approval to park in the handicap parking stall as his parking stall is too small to utilize a hydraulic lift. Council directed the agent to submit a letter of approval to the owner.

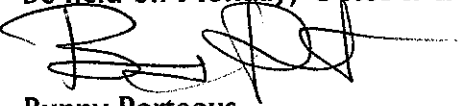
NEW BUSINESS

1. **Rules & Bylaws:** New council member Liz Faulkner has volunteered to review the strata corporation rules and bylaws and submit proposed amendments at the next council meeting.
2. **Parking:** A letter was received from the strata council of 1788 West Georgia, Devon Gate requesting residents of The Park to refrain from parking in the back of 1788 West Georgia to load or unload items into the building or their vehicles will be towed as this is the property of Devon Gate.
3. **Vehicle Maintenance/Parkade:** It was brought to the council's attention that a resident has been using the parkade area to repair and paint their vehicle. Residents are reminded of the strata corporation bylaw 37.2(b) which states:

37.2 An owner, tenant or occupant must not:

(b) carry out any oil changes, major repairs or adjustments to motor vehicles or other mechanical equipment on common property or on any limited common property;

There being no further business, the meeting was adjourned at 8:40 p.m. The next meeting will be held on Monday, October 26, 2009 at 6:00 p.m.



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ARE YOU RENTING YOUR STRATA LOT?

If so, here is a bulletin you should read. The following is a true story – you will find it interesting and valuable as a non-resident owner.

One Saturday morning, our office received a telephone call on our emergency line that there was a water leak in a building we manage so we dispatched a restoration contractor to mop up the water. The contractor had to access several strata lots to get the job done, and, at one unit, no one answered the door and a locksmith was called to “pick the lock”. Once open, the restoration contractor stepped inside and, to his horror – a fully equipped meth lab.

The police and fire departments were called and the building had to be evacuated. The fire department’s HAZMAT team gingerly dismantled the meth lab. The City then advised that the strata lot could no longer be occupied and, further, the entire strata lot has to now be “deconstructed” and rebuilt. The owner of the strata lot will be facing a cost estimated at about \$100,000 to reimburse the City and to reconstruct. On top of this will be fines from the strata corporation and other legal consequences.

The non-resident owner was in shock to learn all this. It turns out that little was known about the tenant other than he had paid cash for his monthly rent payments and security deposit.

No doubt the vast number of renters in strata corporations are properly screened by non-resident owners such as yourself, or their agents, and in reality there are likely only a few bad apples. Nevertheless, let this true episode serve as a huge heads-up to you (and your rental agent if applicable) that renting your apartment involves a lot more than merely collecting the monthly rent.

You ought to be aware also that most strata corporation insurance policies are now imposing huge deductibles (\$50,000 in some cases) for damages arising from illegal operations. In some policies, the coverage is denied altogether. You can be sure that your strata council is not going to step up to the plate and have the strata corporation pick up the tab if your strata lot is one of these bad apples. Also, be aware of a very significant court case recently heard in the Supreme Court of British Columbia involving insurance claims. The essence of this case is that if an occupant of a strata lot is responsible for the cause of an incident and the insurance of the strata corporation has a deductible, the owner is responsible for paying the deductible. That would be you if your tenant is the culprit for some incident.

Accordingly, we urge you to properly screen your tenants, obtain background and reference checks, and, make frequent inspections of your rental premises. Collecting the rent is the least of your worries given the above facts.