

# MINUTES OF COUNCIL MEETING

## STRATA PLAN LMS-3432

### THE PARK

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**HELD** On Wednesday, June 16, 2010 at 6:00 p.m. in the Amenities Room, 1723 Alberni Street, Vancouver, B.C.

**PRESENT**

Teri McEachern	(President)
Ingrid Northwood	(Vice-President)
Rob Gleeson	(Treasurer)
Mike Fong	(Project Liaison)
Liz Faulkner	
Shiro Ogawa	

**REGRETS** Jon Wang

**STRATA AGENT** Bunny Porteous, Vancouver Condominium Services Ltd.

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

#### **BUILDING MANAGER'S REPORT**

The council reviewed the building manager's report for the period of May/June 2010 with the following highlights:

- Storage rooms cleaned and junk disposal.

Reminder to residents: P2 storage is for small household items only and not for mattresses, beds, cabinets, washing machines, dryers and other large pieces of furniture. Residents are responsible to dispose of these items off-site. The area will be closely monitored and residents noticed dumping large items will be charged back for the removal costs.

- Parkade entrance and ramps hosed down.
- Ceiling panels from the 4<sup>th</sup>, 11<sup>th</sup> and 19<sup>th</sup> floors replaced.

## **EXTREMELY IMPORTANT**

**Due to the fragile condition of the domestic hot/cold water piping, residents who require plumbing repairs are required to contact the building manager with the plumber to review the location of the water shut-offs for the unit before any plumbing repairs are completed. Residents are requested to suspend any non-essential plumbing upgrades, etc. until the completion of the re-piping project to prevent any pipe failures, which could cause costly damages and inconvenience to residents and/or the strata corporation.**

**Owners undertaking any plumbing must ensure they have adequate insurance and are strongly advised to take every precaution before proceeding as costs of floods caused by the owner of the unit will be attributed to the owner's account.**

### **MINUTES**

It was moved, seconded and carried to adopt the minutes of the May 18, 2010 council meeting, as circulated.

### **FINANCIAL REPORT**

1. **Monthly Statement:** Following review and discussion, it was moved, seconded and carried to adopt the May 2010 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 8<sup>th</sup> month as at May 31, 2010 in the appropriate funds are as follows:
  - Total Cash Balance                      \$ 2,292,953.40 (including CRF Balance)
  - CRF Balance (Apartment)                \$ 61,686.97 (Contingency Reserve Fund)
  - CRF Balance (Joint)                      \$133,401.01 (Contingency Reserve Fund)
  - Exterior Maintenance Fund              \$1,776,957.28
  - Water Pipe Replacement Fund          \$1,857,373.07
3. The agent advised council that there are eight units with liens filed against their strata lots for significant outstanding balances on their accounts. The strata corporation's legal counsel has submitted demand letters to owners and mortgage companies requesting payment with 14 days or foreclosure proceedings will begin.

Letters requesting payment have been sent to five owners with outstanding balances for the Exterior Maintenance Project.

## **Strata Corporation Bylaw 2 – Payment of Strata Fees and Special Levies:**

- 2.1 *An owner must pay strata fees on or before the first day of the month to which the strata fees relate.*
- 2.2 *Where an owner fails to pay strata fees in accordance with bylaw 2.1, outstanding strata fees will be subject to an interest charge of 10% per annum, compounded annually. In addition to interest, failure to pay strata fees on the due date will result in a fine of \$100.00 for each contravention of bylaw 2.1. (Nov. 29/2004)*
- 2.3 *Owners are asked to provide the Strata Corporation or its agent with twelve (12) consecutive monthly post-dated cheques for strata fees for the fiscal year of the Strata Corporation dated as the first day of each month, or if applicable, written authorization for monthly automatic debit from the owner's bank account.*
- 2.5 *A special levy is due and payable on the date or dates noted in the resolution authorizing the special levy. Failure to pay a special levy on the due date will result in a fine of \$100.00 for each contravention of bylaw 2.5.*
- 2.6 *Where an owner fails to pay a special levy in accordance with bylaw 2.5, outstanding special levies will be subject to an interest charge of 10% per annum, compounded annually.*

## **BUSINESS ARISING**

1. Exterior Maintenance Project:
  - (a) Townhouse Project Update:
    - i) Water testing at suite #1733 identified a crack at the main entrance stair landing and concrete planter wall that was the source of water ingress at the ground level bathroom. The engineers have recommended removing the existing stairs for application of a membrane within the stair landing space and provide a drain through the parkade ceiling under suite #1733 to drain any incidental water present in the stair landing space. JLK will provide pricing.
    - ii) Ponding of water observed on top roof of suite #1777. Milani Plumbing contacted to clean. VCS will schedule date with Milani Plumbing to clean all TH exterior drains.
    - iii) Starline (window manufacturers) is currently revising shop drawings for the window and door replacements for the TH units which has caused a delay with the project. Levelton engineers were not satisfied with the results of the window ratings provided by Starline.

- iv) All membrane application on the north elevation to be completed within the next two weeks.

The Townhouse Remediation Project is proceeding within the approved budget; however, due to the delay with the installation of the windows and doors, substantial completion of the project has been extended approximately 4 – 6 weeks.

- (b) Tower Roof Repairs: No report available.
  - (c) Window Testing 24<sup>th</sup> and 25<sup>th</sup> Floors: Levelton Engineering completed water testing on all five of the patio doors of the units on the 24<sup>th</sup> floor and discovered that all incurred water seepage. Levelton Engineering will schedule testing of the patio doors on the 25<sup>th</sup> floor and will then provide a report with the recommended action of remediation.
  - (d) Balcony Drain Cleaning: Milani Plumbing will be on site Wednesday, June 23<sup>rd</sup> to auger the balcony drains on the 24<sup>th</sup> and 25<sup>th</sup> floor.
  - (e) PST Rebate: The agent is preparing the PST Relief Grant application administered by the HPO office, who provides grant assistance to strata corporations who have undertaken building envelope renovations for premature building envelope failure repairs completed on or after July 28, 1998. The Relief Grant program officially ends on June 30, 2010, and the agent will submit the application to obtain a refund on the PST paid for the Exterior Maintenance Project.
2. Domestic Water System Replacement: Specification/drawings for the domestic water system replacement are being finalized and council member Shiro Ogawa will meet with Greg Lee (engineer MMM Group) on Friday, June 18<sup>th</sup> to review and approve the specification before the project is submitted to tender to four qualified contractors. The tendering process is projected to begin July 1<sup>st</sup> with a three-week closing date. Council will meet with Greg Lee to review the tendered bids and the engineers recommended bid (contractor) to proceed with. A council member has volunteered to contact the references submitted by the qualified contractors who will be submitting bids. The council is projecting to commence in August should the contractors be available. An owners' information meeting will be held as soon as a contractor is selected to review the timeframe, procedures, scheduling, owners' and contractors' responsibilities etc.
3. Storage Room Lockers in May Council Minutes: Residents who were interested in entering the lottery to rent one of the large storage rooms as of September 1, 2010 in the parkade with a \$100 monthly fee were requested to submit their names to VCS or drop a note in the strata mailbox in the mailroom. As of June 24<sup>th</sup> no names were received. The agent will contact the current owners who are renting the lockers to enquire if they are interested in continuing to rent for another two years.

4. Insurance Appraisal Premium: Due to a reduction in the appraised value of many properties within Vancouver, the insurance premiums were adjusted to a lower rate. The strata corporation (the Park) received a rebate from BFL Canada in the amount of \$13,427. The new amount for the premium for 2010 until December 31, 2010 has been lowered to \$97,922.

## **CORRESPONDENCE**

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

1. Correspondence was received from an owner outlining excessive noise complaints from a unit on the 20<sup>th</sup> floor which was causing extreme anxiety to the neighbouring units. A strata corporation bylaw violation complaint letter was submitted to the owner on the 20<sup>th</sup> floor. A second bylaw violation letter was submitted to the owner for not providing a Form K for their tenant as required in bylaws 39.2 39.3.  
  
*39.2 The bylaws and rules of the Strata Corporation are binding upon a tenant.*  
  
*39.3 An owner who leases a strata lot to a tenant must deliver to the tenant the current bylaws and rules of the strata corporation and a Notice of Tenants Responsibilities in Form K.*
2. Correspondence was received from an owner outlining noise from a neighbouring unit on the 24<sup>th</sup> floor. The agent was directed to submit a bylaw violation letter to the owners with reference to the strata corporation bylaws.
3. A letter was received from an owner of appreciation for the tremendous amount of time and energy spent on the projects etc. at The Park. The owners confirmed their support for the strata council and agree with steps taken and look forward to the replacement of the water pipes as soon as possible.

## **NEW BUSINESS**

1. Special General Meeting: A Special General Meeting has been scheduled for Thursday, June 24, 2010 at 7:00 p.m. in the Amenity Room, as per the petition submitted by 20% of the owners to discuss levy decisions and the decision process.
2. Legal Writ: A Third Party Legal Writ notice was received from the owner of unit #1508. The owner of unit #1508 is being sued by the owner of unit #1008 who incurred damages in the amount of \$21,773.78 in his unit from the fire in unit #1508 on or about May 21, 2008. The owner of unit #1508 claims he is not liable for the damages and claims the strata corporation is responsible due to the failure of properly maintaining the sprinkler system. The defendant claims the head on the fire suppression sprinkler

system may have malfunctioned. The agent has filed a claim with the strata corporation insurance broker, BFL Canada.

3. Parkade Sensor: The agent will contact Global Gas to complete the annual required parkade CO sensor testing.

There being no further business, the meeting was adjourned at 7:45 p.m. The next meeting will be the Special General Meeting to be held on Thursday, June 24, 2010 at 7:00 p.m. followed by a council meeting on Tuesday, July 20, 2010 at 6:00 p.m.

Bunny Porteous  
Vancouver Condominium Services Ltd.  
#400 – 1281 West Georgia Street  
Vancouver, B.C.  
V6E 3J7

Telephone: 604-684-6291 (24 Hour Emergency Services)  
Toll free: 1-877-684-6291  
Fax: 684-1539

BP/ys

## **HST AND STRATA FEES**

The HST legislation became law on April 30<sup>th</sup>, and becomes effective July 1<sup>st</sup>. Do you have to add HST to your monthly strata fee payments? The answer is “NO” if you own a residential strata lot. Continue to make your payments at the same amount as you have been doing in the past. However, note that most items in your strata corporation’s budget are subject to HST. This means that your strata corporation’s next budget will include an allowance for the additional HST expense which will result in an overall budget to pay for the HST. In other words, you do not have to add 7% to your payments. (The 5% GST is already in the budget). It will be “built into” your strata fees starting with your next strata corporation’s budget. In some strata corporations, an allowance has already been factored in. If you own a commercial strata lot, the HST will be an additional payment to make starting July 1<sup>st</sup>.