

MINUTES OF COUNCIL MEETING
STRATA PLAN LMS-3432
THE PARK

HELD: On Tuesday, January 22, 2008 at 6:00 p.m. in the Amenities Room of the Park, 1723 Alberni Street, Vancouver, B.C.

PRESENT: Teri McEachern
Paul MacGillivray
Kachi Emeruwa
Ravi Singh
Robert Trapp
Alan Boisset

REGRETS: Gaye Alcott-Fleet

STRATA AGENT: Bunny Porteous, Vancouver Condominium Services Ltd.

GUEST: Mr. Warren Purchase/Interglobe Security

The meeting was called to order at 6:10 p.m.

GUEST BUSINESS:

Mr. Warren Purchase from Interglobe Security was invited to attend the council meeting to review the strata's concerns with the security guards' lack of completing perimeter tours of the building and parkade areas and not requesting people present their fobs to the guard before accessing the building.

Mr. Purchase reassured council that the guards have been replaced and will ensure the guards complete tours and request fobs are presented before entering the building. Visitors will be required to contact the unit on the enterphone to provide access into the building.

Following discussion, it was recommended that council member Ravi Singh submit a clear set of instructions to Mr. Purchase for the security patrols. The council requested Interglobe submit a quote to complete a security assessment of the building, including a security surveillance system and provide any recommendations to increase the security of the building.

CARETAKER'S REPORT

Mr. Borchert presented council with a detailed report of the various events that occurred during the previous month. Highlights of the report are as follows:

1. January 5th: Milani Plumbing was contacted to investigate the source of the water running down the pillar outside the front entrance. While opening unit #503 (after no response to knocking on the door), the locksmith, plumber and caretaker observed what appeared to be a drug lab. The police were called and confirmed a drug lab in unit #503. The police requested the investigation for the leak be stopped. Please see Business Arising, Item #2.
2. Milani Plumbing was contacted on January 8th to continue investigating the water leak which was discovered to be located between the walls of unit #603 and #602. Attempts to locate the pipe caused the pipe to burst incurring water damage into nine units plus two common area hallways.
3. Milani Plumbing was contacted to investigate a leak in unit #907 causing water damage into units #807 and #707. The plumber discovered the washing machine hose improperly connected, causing water to flood units #907, #807 and #707.
4. Milani Plumbing replaced a pressure reducing valve on the fourth floor.
5. The caretaker noted that the enterphone on the West Georgia Street exit door had malfunctioned. Action Glass was contacted.
6. While inspecting the Amenity Room after a booked party, the damage deposit of \$150 was withheld from the owner as the caretaker noted drywall damage and minor repairs were required.
7. Residents using Novus internet/cable service are reminded that the security TV channel has been moved from channel 39 to 69.
8. The caretaker is continuing to find cigarette butts, ashes, matches etc. in the stairwells.

Residents are reminded that smoking in common areas is a violation and should be contained to the exterior of the building where an ashtray has been placed.

9. It has been noted that someone is leaving their garbage in the stairwells on the 7th, 8th and 9th floors. Residents are reminded that all garbage goes down to P1 level and put into the green garbage compactor. Residents who witness anyone leaving their garbage are requested to contact VCS.
10. Vancouver Condominium Services was informed on January 21st of a leak on the 11th floor. Milani Plumbing was contacted and discovered a leaking pump seal causing water damage on the 11th floor hallway and into unit #1101. The Restoration Shop was contacted to complete the emergency repairs.

REMINDERS

Residents are required to store their bikes in the parkade area and are not permitted to bring them into the building through the elevators or stairwells.

Residents are requested to put all mail not belonging to them on the marble counter in the mailroom, not in the flyer garbage box.

It has been noted that someone is continuing to remove important notices with scheduled maintenance inspections, repairs etc. from the mailroom and elevators. THESE NOTICES ARE IMPORTANT INFORMATION FOR ALL RESIDENTS AND SHOULD NOT BE REMOVED. ONLY THE CARETAKER IS RESPONSIBLE TO REMOVE NOTICES FROM THE BULLETIN BOARD IN THE MAILROOM AND ELEVATORS.

Council thanked Mr. Borchert for his report and he departed the meeting at 7:10 p.m.

ELECTION OF OFFICERS:

The following Officers were elected:

- Teri McEachern - Treasurer
- Paul MacGillivray - President/Security
- Ravi Singh - Vice-President
- Robert Trapp - Landscaping

MINUTES

It was moved, seconded and carried to adopt the minutes of the December 18, 2007 council meeting, as circulated.

FINANCIAL REPORT

1. Monthly Statements: It was moved, seconded and carried to adopt the December, 2007 financial statements, 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. The current balances for the 3rd month ending December 31, 2007 in the appropriate funds are as follows:
 - Total Cash Balance \$414,176 (including CRF Balance)
 - CRF Balance (Apartment) \$ 85,514 (Contingency Reserve Fund)
 - CRF Balance (Joint) \$130,882 (Contingency Reserve Fund)

3. **Arrears:** The agent reported that the one owner with a lien filed against the title of their strata lot due to significant arrears has submitted payment in full. The council was advised that 20 owners are still in arrears with their monthly strata fees arising from the fee adjustment at the Annual General Meeting held in November, 2007. Statements with outstanding strata fees were submitted to owners in December requesting payment within 14 days. It is hoped that these statements will prompt owners to pay their outstanding strata fees. Owners are cautioned that if they do not settle their arrears by the end of February 2008 fines will be levied on their account for late or non payment pursuant to the strata corporation bylaws. Council would like to thank all owners for submitting their fees on time.

BUSINESS ARISING

1. **Security:** VCS is updating the owner/tenant database. Owners are required to complete the attached forms and submit to VCS by February 22, 2008. Owners who have not submitted a Form K with tenants information are requested to contact VCS to obtain a form. Owners who do not submit a Form K for their tenant by February 28th will be assessed a \$200 bylaw violation fine against their account.

IMPORTANT REMINDER

- Prior to possession of a strata lot by a tenant, an owner must deliver to the tenant a copy of the current bylaws and rules of the strata corporation and Notice of Tenant's responsibilities and a Form K.
- Within two weeks of renting the strata lot, the landlord must give the strata corporation a copy of the Form K signed by the tenant in accordance of section 146 of the *Strata Property Act*.

FOB REGISTRATION

Owners/Residents are required to re-register their fobs with the strata corporation on the following dates: March 1st, 15th or 29th between 10:00 a.m. and 12:00 p.m. in the Amenity Room, 1723 Alberni Street. Owners/tenants who do not present themselves on the above noted dates to re-register their fobs will have their fobs deactivated and will be required to contact Vancouver Condominium Services to complete the forms and activate their fob for access. Notices will be posted with further details.

2. **Unit #503:** On Saturday, January 5th the caretaker noted water pouring down the column outside the front door. Milani Plumbing & Heating was contacted along with a locksmith to access all unavailable units to investigate the leak.

When the locksmith opened the door to unit #503 (after knocking on the door unsuccessfully), the caretaker and plumber observed what appeared to be a drug lab in the unit and contacted the police who attended the unit and confirmed a drug lab in the unit. The unit and storage locker contained raw materials, chemicals and equipment for the production of illegal drugs. The police, fire department, hazardous material agency and EPA were on site Saturday, January 5th to complete air testing and Sunday, January 6th to dismantle and remove the equipment and chemicals.

The police reported that the real estate company managing the unit for the owner had rented the unit to a tenant in November who provided no identification and paid cash for November and December rental payments.

Unit #603 was required to vacate the premises for two days and the owners on the 5th floor were required to vacate their units on Sunday until Monday to allow the HAZCO Department to remove and dispose of the hazardous materials. All costs for the fire department, police, Hazmat EPA, and HAZCO to dismantle and clean up will be assessed to the tax role of the owner's property. Upon completion, a "Not Safe to Occupy" notice was posted on the door of unit #503 along with a notice that the electrical service to the unit was disconnected.

The agent was directed to contact a lawyer to submit a letter to the owner with the consequences of the recently discovered drug lab and the following fines and charges which have been assessed to the owner's account:

- \$200 pursuant to bylaw 4.1(c) as a consequence of the illegal activity in the unit
- \$200 for failure to provide a Form K for the tenant
- The cost to retain the services of a security company to provide security to the residents in the building on January 5th and 6th
- Action Locksmith's invoice to access the unit to investigate a leak
- Legal fees in the amount of \$750

3. Info Meeting - January 12th: A well attended Information Meeting was held on Saturday, January 12th to provide information on the events of January 5th (discovery of a drug lab), and discuss how to reduce the risk of this situation reoccurring. Owners were requested to provide ideas to council for rental reforms and security upgrades. Follow up action from the meeting is being reviewed by council.

4. SGM: A Special General Meeting has been scheduled for Wednesday, March 26, 2008 at 7:00 p.m. in the Amenity Room to present the following $\frac{3}{4}$ vote resolutions:

- Rental reform bylaws
- Security upgrades
- Interior Paint upgrades

5. Unit #1807: The agent contacted the management company representing the owner of unit #1807 to review the serious concerns the tenants were causing to the residents on the 20th, 19th, 18th and 17th floors in the building. Six letters and noise violation bylaw fines have been submitted to the management company to no avail as the shouting and loud music continues at all hours of the day and night. The police have also attended to noise complaints on several occasions within the last two months.

The management company was requested to evict the tenant for repeatedly contravening the strata corporation's bylaws and interfering with the owners' rights to use and enjoy their strata lot (as per Section 138 of the *Strata Property Act*). A notice of eviction was posted to the resident's door on January 15th requiring the tenants vacate the premises within 30 days.

6. Leak – Units #603, #602, #601, #503, #502, #501, #403, #402, #401: The plumber returned on Tuesday, January 8th to investigate the leak discovered on January 5th and discovered the leak in between the wall of unit #603 and #602. Upon opening the wall, the pipe burst creating water damages into the above noted units along with common area hallways on the 6th and 5th floors. The Restoration Shop was contacted to complete the emergency restoration and the strata corporation's insurance company was notified to assess the damages.

Owners whose units incurred water damage are requested to contact the strata's insurance adjuster, Victor, for further information at (604) 806-3559.

7. Leak – Units #907, #807, #707: On Saturday, January 5, 2008 Milani Plumbing & Heating was contacted to investigate a leak in #907 and discovered that a washing machine hose had disconnected causing water damage to the above mentioned units. The Restoration shop was contacted to complete the emergency repairs and the insurance company was contacted to assess the damages.

8. Washing Machine Hose Replacement: Milani Plumbing & Heating will be on site Thursday, January 24th and January 25th to replace washing machine hoses (at the owners' cost) in 40 units as per the owners' request . The council highly recommended owners replace their hose every seven years (life span) to deter from costly hose bursts causing costly damages to the owner. Maintaining washing machine hoses is the owners' responsibility.

9. Electrical Vault Cleaning: The City of Vancouver will turn off the main power to the entire building for Procon Electric to perform the required electrical volt maintenance during Wednesday, January 23rd from 9:00 a.m. to 3:00 p.m. and Wednesday, January 30th from 9:00 a.m. to 12:00 noon. There will be no power in owners' units during this time. The emergency generator will only operate some common hallway lights, access systems and doors, the garage gate and one elevator.

10. Common Area Painting: Alumni Painters submitted a quote to complete the following common area painting upgrades:

- Prepare and paint the walls in 22 hallways \$7,850 (existing colours)

- Prepare and paint the amenity room walls and baseboard \$750
- Prepare and paint the elevator door frames \$45 per door based on a minimum of 10 elevator door frames
- Install stainless steel corner protectors directly by the elevator doors at a cost of \$75 per corner based on a minimum of 10 elevator doors
- Prepare and paint the walls on P1 and P2 elevator lobby \$1,200
- Prepare and paint the fire doors and frames of the P1 and P2 levels \$540

The council reviewed the quotes and approved the completion of the painting in the P1, P2 lobby and Amenity Room with a total cost of \$2,840. A $\frac{3}{4}$ vote resolution will be presented to the owners at the SGM on Wednesday, March 26th to approve the painting of the 22 common hallways at an estimated cost of \$7,850 plus GST.

11. Landscaping: The Landscaping Committee will contact Premier Landscaping to obtain a quote to upgrade the garden beds on the 1st and 2nd levels in front of the townhouses to obtain a uniform appearance and increase the curb appeal at The Park.
12. Fire Inspection: Fire Pro will be on site Tuesday, February 26, 2008 from 3:30 p.m. to 8:00 p.m. to test the fire safety equipment in the 50 units not accessed during the first visit. The technicians will start from the top and work down. During the test, fire alarm bells may ring intermittently. All in-suite fire safety devices must be tested in accordance with the local fire code. Owners unable to be home are requested to leave a key with your neighbour. The caretaker will not be available to access owners' units.

If you do not allow access this final time, owners will be required to contact Fire Pro at the owners' cost to test their safety equipment as per the fire code. Units with safety equipment not tested will be held liable and negligent if a fire occurred and it is determined that the fire originated in their unit.

13. Townhouse Drain Cleaning: Milani Plumbing will be on site Tuesday, January 29, 2008 to complete the drain cleaning for the townhouses. The contractors will complete the power flushing from the parkade area and will not require access into owners' units.

It is VITAL that the contractors access the garage stalls under the townhouses to complete the drain cleaning. The owners of the stalls have been contacted to open their stalls. Non compliance will result in a locksmith opening the unit and assessing the cost to the owners' account.

14. Window: It has been brought to council's attention that an owner has removed a window in their unit which could affect the integrity of the structure of the building. The owner has been requested to reinstall the window by January 25th or the strata will engage a glass company to complete the repairs and charge the cost to the owner's account.

15. Storage Rooms: Council deferred discussion of the storage rooms until the next council meeting.
16. Parking Stalls: The council is continuing to complete walkabouts in the parkade area, and owners found in violation of storing unauthorized items in their parking stalls will be assessed a bylaw violation fine of \$200 against their account.
17. Pump Seal: Milani Plumbing & Heating was on site January 21st to investigate a leak on the 11th floor and discovered the pump seal in the mechanical room was leaking creating water damages into the 11th floor hallway and into unit #1101. The Restoration shop was contacted to complete the emergency repairs.
18. Building Envelope Assessment: Building Envelope Condition Assessment questionnaires have been submitted to all owners to be completed and resubmitted to VCS by Thursday, January 31st. The questionnaires may be submitted by fax at (604) 684-1539 or via mail at #400 – 1281 West Georgia Street, Vancouver, BC. V6E 3J7. It is VITAL that all owners complete the survey in order for Levelton Engineers to proceed with the building envelope assessment.
19. Speed Bumps/Stall #90: Nikls Property Services was on site to relocate the speed bump in front of parking stall #90 to facilitate the owner with entering and exiting the parking stall

CORRESPONDENCE

Owners are invited to write council via the management company regarding any strata matters. Owners are advised that, pursuant to the Strata Property Act, correspondence which is addressed to the strata corporation must be made available to any other owner interested in such correspondence, and to certain other persons in specified circumstances. What this means is that any correspondence which is sent to the strata council in confidence might not be protected or privileged, and is subject to any other overriding and applicable law.

1. Rentals: A letter was received from an owner with rental bylaw recommendations and requested meetings be scheduled more than three weeks in advance as she lives in England and would like to provide input. The council thanks the owner for her comments and will take the recommendations into consideration.
2. Fire Crackers: A letter was submitted to the management company expressing concerns with the tenants throwing fire crackers over the balcony on December 31st which is not only in violation of the strata bylaws, but also a safety hazard for the owners below should the fire crackers fall on a balcony and start a fire.
3. Barking Dog: The agent was directed to submit advising an owner of numerous complaints received for the continuous barking of the owner's dog which is in violation of the strata corporation's bylaws 4.1(a) (b) and 4.12

- 4.1 *An owner, tenant, occupant or visitor must not use a strata lot, the common property or common assets in a way that:*
- (a) *causes a nuisance or hazard to another person,*
 - (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,*
- 4.12 *No resident shall permit its pet to interfere with any other person, pet or object, or permit its pet to disturb any other resident with uncontrolled barking or howling.*

4. **Noise Violation:** Several complaints were received on January 19th of excessive loud music and loud talking emanating from a unit. A violation fine has been assessed to the owner's account in the amount of \$200 as per strata corporation bylaw 4.1
5. **Noise Violation Fine:** A noise violation fine has been assessed to an owner's account due to the ongoing excessive noise at all hours of the day and night. The tenants have been requested on several occasions to stop, but to no avail. On Saturday, January 12th the police were called as the noise was out of control. A bylaw violation fine in the amount of \$200 has also been assessed to the owner's account for not submitting a Form K with their tenant's information as per the *Strata Property Act* requirements.

NEW BUSINESS

1. **Insurance Renewal:** Council recently received insurance renewal documentation from VCS. The documentation provides details of coverage for 2008. Any owner wishing a copy of the insurance certificate may contact the strata agent.

All owners and residents are reminded that the strata corporation's insurance policy does not provide coverage for individual contents, betterments or improvements (i.e., storage locker contents, clothing, furniture, decorating, upgrading of carpets, flooring, etc.). Owners and residents must carry their own "Owner/Tenant Package" insurance for this coverage, including any improvements. You should contact your home insurance company to determine if you have this coverage or not.

2. **Garbage & Recycling Regulations:** All tenants and owners should be aware that, effective January 1, 2008, the City of Vancouver has banned recyclable materials from City Disposal Sites. This means that the garbage companies will refuse these items. Items which are now banned include cardboard, newsprint, newspaper, drywall, yard and garden waste, containers (except milk), blue box recyclables, car batteries, medications/pharmaceuticals, paint, solvents, flammable liquids, gasoline, pesticides, vehicle tires, oil, oil filters and empty oil containers and electronic waste, including personal computers printers and televisions. Owners must make arrangements to remove these materials themselves, with the exception of cardboard, newsprint and other blue bin recyclables, which must be placed in the appropriate bins.

IMPORTANT NOTICE TO ALL OWNERS/RESIDENTS

Residents are requested to contact VCS at (604) 684-6291 with all emergencies.

All strata issues/concerns should be put in writing and submitted in the strata **mailbox** or fax to VCS at (604) 684-1539.

Owners/residents are requested to NOT call/knock on the caretaker's door or disturb the caretaker on his days off. The caretaker's working hours are Tuesday to Saturday from 9:00 am to 4:30 pm.

There being no further business, the meeting was adjourned at 8:45 p.m. The next meeting will be held on Wednesday, February 20, 2007 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: 604-684-1539
BP/md

24-Hour Emergency Services

Clients using Telus Anonymous Call Blocking feature must deactivate this service (*87) to receive return calls from VCS after hours. Please note that we will take no action on any emergency unless we have talked first to the person placing the call. If you have placed an emergency call, please keep the phone line clear so that VCS can return your call promptly.

PLEASE NOTE THAT THIS SERVICE IS FOR BUILDING EMERGENCIES ONLY: IT IS NOT FOR PERSONAL EMERGENCIES. Personal emergencies include lost building or suite access devices (i.e., keys, fobs, IRTs, garage remotes) access to relatives' apartments, inquiries about account balances, "someone parked in my stall", neighbours are having a loud party, neighbours' security alarm is going off and similar situations. We are also unable to provide assistance on calls such as "I saw a strange person enter the garage..." Suspicious activity and loud parties should be reported to the police. Break and enter and/or vandalism to your automobiles or suites should be reported to the police department.

Please feel free to report floods, broken water lines, fires, fire alarms, stuck elevators, garage gates not working and other similar building/property issues requiring immediate attention. The 24-hour answering service is not available for general inquiries concerning accounts, council policies and other matters which are regular administration items.