

# MINUTES OF COUNCIL MEETING

## STRATA PLAN LMS-3432

### THE PARK

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**HELD:** On Tuesday, June 10, 2008 at 6:00 p.m. in the Amenities Room of the Park, 1723 Alberni Street, Vancouver, B.C.

**PRESENT:** Teri McEachern  
Paul MacGillivray  
Robert Trapp  
Alan Boisset  
Gaye Alcott-Fleet  
Kachi Emeruwa

**REGRETS:** Ravi Singh

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

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

#### **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. Milani Plumbing was contacted to augur the drain of #701 from soap suds back up in the kitchen sink.

2. **Private Storage Lockers: The City of Vancouver and Rescue Services were on site to complete the annual inspection of the building and discovered excessive amounts of stored items on top of private storage lockers in the locker rooms of the P1 and P2 levels which is a fire code violation. The sprinkler heads above the lockers require 18" of clearance (fire code bylaws).**

**The Vancouver Fire & Rescue Services submitted a notice of violation and requested all items be removed from the top of lockers.**

**Items not removed by residents as of June 25, 2008 will be removed and tossed in the garbage bin as unwanted items. Thank you for your cooperation.**

3. Milani Plumbing & Heating was contacted to investigate a leak in one of the hot water tanks in the rooftop mechanical room. Milani Plumbing will inquire on the status of the warranty of the tank.
4. Vandalism/Elevator:

#### **IMPORTANT NOTICE**

**The increase in vandalism to the elevators is not only a criminal activity and is becoming very costly to the strata corporation to continue to repair the damages to the wood panels and replace the sign holders. Residents are requested to be security conscious and report any suspicious activity or persons to the police via 911 and submit a report to Vancouver Condominium Services. Real estate agents have contacted VCS to address the potential concerns with the marketing for potential purchases with the defacing of the elevator.**

5. It has been brought to the council's attention that resident(s) are continuing to throw cigarette butts out of their window.

**Residents are reminded that not only is this a safety hazard (fire) for residents below but it also causes an unsightly mess to the appearance of the landscaping around the building.**

6. **City of Vancouver Smoking Restrictions: Smoking is not permitted in any common areas of the Park, including the parkade area and within six meters of an entry way, openable window or air intake of the building. Violations of the City of Vancouver bylaw could result in a \$2,000 fine assessed against the owner's strata lot.**

### **MINUTES**

It was moved, seconded and carried to adopt the minutes of the May 21, 2008 council meeting, as circulated.

### **FINANCIAL REPORT**

1. **Monthly Statement:** It was moved, seconded and carried to adopt the May, 2008 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 ending May 30, 2008 in the appropriate funds are as follows:

- Total Cash Balance                   \$403,950.67           (including CRF Balance)
- CRF Balance (Apartment)         \$ 83,441.47           (Contingency Reserve Fund)
- CRF Balance (Joint)               \$129,453.28           (Contingency Reserve Fund)

3. Arrears: The agent advised council that letters have been submitted to nine owners with outstanding balances on their accounts. Late strata fines will be assessed against all owners' accounts monthly until payments are submitted in full. The council would like to thank all owners for ensuring that their strata fees are submitted on time.

## **BUSINESS ARISING**

1. Security:

- a) Security Cameras: The council approved Dominion Security to install 16 armoured dome security cameras around the building, including the elevators at a total cost of \$22,000. Dominion will proceed with the installation on June 20<sup>th</sup> and expected to be completed by July 31<sup>st</sup>.
- b) Fobs: Action Lock submitted a report with options on upgrading the fob access system to increase security. The council will present the recommended upgrades (to be included in the new fiscal year budget) to the owners at the AGM.
- c) Short Term Rentals: It has been brought to the council's attention that several owners have hired management companies to rent their units on a short term basis. Several residents submitted concerns with the website 'Signature Luxe Suites' who are offering furnished units at the Park (minimum seven night stay). Rentals under 30 days are a violation of the City of Vancouver bylaws and owners will be reported to the City of Vancouver. Owners are also requested to submit a Form K. As per the majority of owners request at the AGM a short term rental bylaw amendment with a minimum rental stay of six months will be presented to the owners at the next AGM.

2. Leak - #2305: Milani Plumbing was contacted to investigate a leak in #2305 and discovered a drain pipe coupling leaking within the wall, which has been repaired.

3. Fire - #1508: On Thursday, May 22<sup>nd</sup> around 6:30 p.m. the fire alarm sounded. The Fire Department was contacted and discovered a small fire in #1508. Barclay Restoration was contacted to complete emergency water damage restoration in 30 units. The strata corporation's insurance adjuster was contacted and is proceeding with Barclay Restoration to complete the scope of repairs for the affected units to be submitted for

tender (as per the requirement of the insurance company). Once a contractor is selected (end of June) owners will be contacted to schedule the repairs which are projected to be completed within six months. VCS and the strata council would like to thank all residents for their cooperation and patience during this period of inconvenience with the damage to their units. An invoice in the amount of \$2,500 has been submitted to the owners of unit #1508 for reimbursement of the insurance deductible. The strata corporation bylaw 4.3 and 4.4 reads:

4.3 *A strata lot owner is responsible for any damage caused by occupants, tenants or visitor's to the owner's strata lot.*

4.4 *An owner shall indemnify and save harmless the Strata Corporation from the expense of any maintenance, repair or replacement rendered necessary, to the common property, limited common property, common assets or to any strata lot by the owner's act, omission, negligence or carelessness or by that of the owner's visitors, occupants, guests, employees, agents tenants or a member of the owner's family, but only to the extent that such expenses is not reimbursed from the proceeds received by operation of any insurance policy. In such circumstances, and for the purpose of bylaws 4.1, 4.2 and 4.3, any insurance deductible paid or payable by the Strata Corporation shall be considered an expense not covered by the proceeds received by the Strata Corporation as insurance coverage and will be charged to the owner.*

4. **#806/826:** On May 26<sup>th</sup> Barclay Restoration and Milani Plumbing were contacted to investigate water leaking from the ceiling in unit #706. With no one available in unit #806, a locksmith was contacted and Milani Plumbing discovered a leak in the lever of the owner's washing machine which created water damages in units 806, 805, 706, 605 and 406. Barclay Restoration completed the emergency restoration repairs and the insurance adjuster was contacted. The scope of work is being prepared and will be submitted to tender. Owners will be notified upon the selection of a contractor with the schedule of repairs. The council directed the agent to submit an invoice for the insurance deductible in the amount of \$5,000 as the apparent source of the leak was an owner's responsibility. See bylaw 4.4 in Business Arising, Item #3.

5. **Insurance Deductibles:** The strata corporation's insurance company (BFL) contacted VCS to advise that the water damage and sewer damage deductibles for The Park (Strata Plan LMS-3432) has been increased from \$5,000 to \$50,000 and the 'all risk' from \$2,500 to \$5,000 as of May 27, 2008. Since 1999, 22 insurance claims have been filed with the insurance company.

## **IMPORTANT – WATER LEAKS ETC.**

It is extremely vital that residents contact VCS with any detection of water leaks, staining, pipes dripping etc. to deter from costly damages. It is the residents' responsibility of all owners to maintain their strata lot i.e. washing machine and dishwasher hoses, shower valves, leaky taps, shower hoses-bibs, shut-off valves, toilet seals etc. With the increase of the water damage deductible (\$50,000) owners are required to be vigilant in advising their tenants to contact the owner and VCS with any water concerns/issues to deter from costly expenses and the inconvenience to neighbouring units who may incur water damages. Insurance deductibles will be charged to owners (as per the strata corporation's bylaw 4.4).

### **REMINDER**

#### **\$50,000 Water Damage Insurance Deductible**

6. Building Condition Assessment/Levelton: Levelton Engineering have completed the visual inspection of The Park. The building condition assessment report should be available for council's review at the next meeting.
7. Parking Stalls: A resident and a council member will complete a walkabout of the parkade area and owners who are continuing to store unauthorized items in their parking stalls will be assessed a bylaw violation fine against their accounts as per bylaw 37.1. The council would like to thank all owners for their compliance in deterring from potential acts of vandalism.

### ***37. Parking***

*37.1 An owner, tenant or occupant must use parking stalls only for the parking of licensed and insured motor vehicles, trailers, motorcycles or bicycles, and not for the parking of any other type of vehicle or the storage of any other item, unless otherwise approved in writing by the council.*

8. Storage Locker Rental: In the minutes of March, 2008 residents who were interested in renting one of the two large storage lockers in the parkade area were requested to submit the names to VCS to be included in the lottery, four residents submitted their names and the council drew two names at tonight's meeting. The agent will notify the two chosen residents to submit the monthly payments of \$100 for the approved two-year term.

9. **Washing Machine/Dishwasher Soap:** Several units have been experiencing soap sud back-ups in their sinks. Milani Plumbing advised the agent that this is becoming an increased concern in the building with residents using an excess of dishwasher/washing machine soap. The water in Vancouver is extremely soft and residents are required to cut the amount of soap required (as per the directions) in half. Today's soaps are extremely concentrated and more soap does not make cleaner clothes/dishes, but could lead to back ups (blocked drains) and costly water damage repairs to the owners.
10. **Unit #1773:** Levelton Engineering and Western International Development were on site to investigate two leaks in unit #1773. The owner of unit #1773 contacted VCS in February with concerns of water ingress, but was unavailable for eight weeks to allow access for Western International Development and Levelton to investigate as they were out of the country. A letter was submitted to the owner to advise the owner that the strata corporation would not be responsible for additional damages incurred for the delay of accessing the owners' unit. The agent is awaiting a report and a quote for council's review.

## **CORRESPONDENCE**

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

1. **Renovations - #2402:** A letter was submitted requesting council's approval to proceed with renovations to the living area including painting, upgrading interior doors and relocating the fireplace. A detailed report was submitted from the gas fitters to relocate the fireplace. The council approved the renovations with the condition that the strata corporation renovation/alteration bylaws are strictly adhered to and an indemnity agreement is signed.
2. **Move-in:** It was noted that an illegal (as per the bylaws) move-in took place on May 31<sup>st</sup>. The owner of the unit did not contact the Caretaker to schedule the move. As per the strata corporation bylaws 29.2, 29.3 and 29.7 the agent was directed to notify the owner of the violation and assess a bylaw fine (29.9) against the account.

### **Bylaw 29 - Moving**

*29.2 A resident or owner must provide notice to the Strata Corporation of all moving arrangements at least 48 hours before the moving date. All moves must take place between 8:00 AM and 8:00 PM Monday through Friday and between 10:00 AM to 6:00 PM Saturdays, Sundays and statutory holidays.*

*29.3 No move into, or out of, any strata lot, other than a townhouse unit (to which this bylaw 29.3 does not apply), may take place without a professional security*

*guard on duty at all times during the move at the door(s) through which the move takes place, unless alternate arrangements satisfactory to council, acting reasonably, are made and pre-approved in writing by council. All arrangements and payments required to be made in respect of such security guard are the responsibility of the owner of the strata lot into/out of which the move takes place. The owner of the strata lot will indemnify and save harmless the strata corporation from any and all costs incurred as a result of failing to comply with this bylaw and the terms of any approvals granted by council, including the cost of hiring a security guard on an emergency basis if considered appropriate by council, and will be liable for a fine of \$200 per incident. (Nov. 29/2004)*

*29.7 All new residents must pay a non-refundable moving fee of \$50.00, 48 hours prior to moving.*

*29.9 A resident contravening the moving bylaws and rules will be subject to a fine of \$100.00.*

There being no further business, the meeting was adjourned at 8:35 p.m. The next meeting will be held on Tuesday, July 22, 2008 at 6:00 p.m.

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BP/ae

## WHAT YOU NEED TO KNOW ABOUT AN EARTHQUAKE

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1. You are on your own. Do not count on your strata council or management company for assistance.
2. There is not a supply of food, water, blankets or other survival provisions stored anywhere on the property. You are on your own.
3. If there is natural gas service to your strata corporation there is no plan for shutting off the gas supply.
4. There are no arrangements for alternate living quarters if you are unable to return to your strata lot. You are on your own.
5. Depending on the severity of the earthquake, you may not be able to telephone/email the management company for assistance.
6. The contents of your strata lot, your automobile(s) and other personal property are not insured by the strata corporation. If you have made improvements to your strata lot, such improvements or betterments are not insured by the strata corporation either.
7. The strata corporation is insured for earthquake damage; HOWEVER, there is a deductible which means that there is no coverage for damages within that deductible. Generally the deductible is 10% of the value of the strata corporation although in some instances (ie. Richmond) the deductible could be 15% or 20% of the value of the property. In most cases this will amount to millions of dollars. Your strata corporation does not have reserve funds available to meet such a huge deductible. Repairs will have to be funded by one or more special levies. These could be substantial.
8. There is NO government plan or fund to assist either you or your strata corporation. You are on your own.

While it would be nice to hear that there are plans and that there is a safety net, your strata council and VCS bring you the above information in an effort to alert you to the reality of an earthquake scenario. Accordingly, you need to develop your own personal plans for survival. Like many people, you will not be adequately prepared and that is "human nature". Please remember, however, that "You are on your own" is the only rule that counts.

For further information, visit the following websites:

Ministry of Energy & Mines (Gov. of BC)

<http://www.em.gov.bc.ca/Mining/Geosurv/Surficial/quake/>

Ministry of Public Safety & Solicitor General

[http://www.pep.bc.ca/hazard\\_preparedness/earthquake\\_preparedness.html](http://www.pep.bc.ca/hazard_preparedness/earthquake_preparedness.html)

City of Vancouver Emergency Preparedness

<http://www.city.vancouver.bc.ca/corpsvcs/emerg/prepyourself/earthquaketips.htm>

Neighbourhood Emergency Preparedness Program

<http://www.city.vancouver.bc.ca/corpsvcs/emerg/nepp/NEPPworkshops.htm>