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THE OWNERS, STRATA PLAN BCS 3037
MINUTES OF THE ANNUAL GENERAL MEETING
TUESDAY, FEBRUARY 13, 2018

The following are the Minutes of the Annual General Meeting, Strata Plan BCS 3037, held on Tuesday, February 13, 2018, at 6:30 pm, at The Holiday Inn @ Station Square – Capilano Room, 4405 Central Blvd, Burnaby, BC V5H 4M3.

A. CALL TO ORDER

The Meeting was called to order at 7:00 pm by Nick Canosa, the Strata Council President. The meeting was called for 6:30pm, but lacked quorum, but the Strata Corporation bylaws Section 45, states that; notwithstanding section 48 (3) of the Strata Property Act, if at the time appointed for an Annual or a Special General Meeting a quorum is not present, the meeting shall be terminated if the meeting was convened upon requisition of members, but in any other case, the meeting shall stand adjourned for 1/2 hour from the time appointed, at which time if a quorum is not present for the meeting, the eligible voters present in person or by proxy shall constitute a quorum.

B. CALLING OF THE ROLL & CERTIFICATION OF PROXIES

The Council Members present were: Nick Canosa, Jeff Leong, Raymond Lee, Bruce Partridge and Kevin Lam, with regrets from Carlos Lau. Management was represented by Geoffrey Rosen.

C. DETERMINING THAT THERE IS QUORUM

Seventy-six (76) votes are required for a quorum (1/3 of the all Owners), but as per the Strata Corporation's Bylaws section 45, the meeting was able to proceed after waiting the required 30 minutes with Management reporting that there were twenty-eight (28) proxies present eligible to vote, plus forty-six (46) Owners who had registered for a total of seventy-four (74) votes, thereby constituting quorum.

D. PROOF OF NOTICE OF MEETING

In compliance with *the Strata Property Act of BC*, which states that twenty (20) clear days' notice must be given to all Owners eligible to vote, the Management Company confirms that the notices had been sent out to all Owners, to comply with *the Act*, on January 23rd, 2018.

E. APPROVAL OF THE AGENDA

Upon a MOTION duly made by #309 and seconded by #2303, it was RESOLVED that the Agenda, as distributed, be APPROVED for use at the Annual General Meeting.

F. APPROVAL OF THE MINUTES OF THE LAST ANNUAL GENERAL MEETING HELD ON TUESDAY, FEBRUARY 14, 2017.

Upon a MOTION duly made by # 309 and seconded by #3205, it was RESOLVED that the Minutes of the Last Annual General Meeting held on Tuesday, February 14th, 2017, be APPROVED as distributed.

G. APPROVAL OF THE BUDGET

A MOTION was made by #3403 and seconded by #908, that the proposed 2018 Budget be APPROVED as presented.

Discussion:

The Strata Council explained that the proposed budget included a 2.00% increase in monthly strata fees, and that there weren't any unusual costs in the proposed budget.

There being no further questions, the Chair called for a vote, forty-eight (48) votes were in favour, with twenty-six (26) votes opposed, meeting the 51% requirement; therefore, the budget was **APPROVED**.

I. SPECIAL RESOLUTIONS

The Chair read out the Resolution #1 as follows:

**SPECIAL RESOLUTION #1
RENTAL RESTRICTION BYLAW**

WHEREAS The Strata Corporation is recommending to the owners Strata Plan BCS 3037 "Centrepont" to limit rentals in the building to fifty percent (50%). All existing Owners, effective April 1, 2018, who presently rent their Strata Lots are grandfathered and will be able to rent their suites until sold;

BE IT RESOLVED that the Owners of Strata Plan BCS 3037 "Centrepont" approve the following new Bylaw 38 replacing the present Bylaw 38 "Rentals".

38. Rentals

38.1 An Owner may lease their strata lot in accordance with sections 141 -148 of the Strata Property Act provided the owner complies with the following bylaw.

38.2 Leasing or renting of Strata lots: the number of units occupied by renters shall be restricted to a maximum of one hundred and thirteen (113) strata lots in the building. An owner who leases the owner's strata lot may not do so for a period less than ninety (90) days.

38.3 The Strata Corporation shall maintain a list of permitted rentals and a rental request waiting list in accordance with these bylaws.

38.4 An Owner who wishes to rent his/her Strata Lot shall first make written application on the prescribed form to the Strata Corporation to be placed on the rental request waiting list.

38.5 The Strata Corporation shall maintain a rental request waiting list on a "first come, first served" basis by the date applications are received.

38.6 Eligibility to rent a Strata Lot is determined in the order of applications for permission to rent received and recorded on the rental request waiting list.

38.7 Before a tenant may move into any strata lot, the owner will deliver or cause to be delivered to the Strata Corporation a "Form K -Notice of Tenant's Responsibilities" in the form set out in the Act signed by the tenant. The Form K must be submitted to the Strata Corporation at the time of booking the elevator or making whatever move-in arrangements are required. A fine of \$200.00 shall be levied against the strata lot every 7 days, until the signed Form K is delivered to the strata corporation.

38.8 An owner will advise the council in writing of the time and date that any tenant intends to move in or out of the strata lot, at least seven (7) days in advance and will make arrangements with the manager of the building to co-ordinate any such move in accordance with bylaw 38.

38.9 Owners must inform the Strata Corporation of any occupant, who has taken up residency within their strata lots, who is not the registered Owner of the Strata Lot.

38.10 Where the Strata Council grants to an Owner permission to rent his/her Strata Lot, the applicant must notify the Strata Corporation whether the Owner intends to rent his or her Strata Lot within 10 calendar days. If the Owner does not respond within 10 calendar days of such notice of permission, then the permission shall be invalidated. If the Owner elects to exercise such permission to rent, the Owner must enter into a tenancy agreement within ninety (90) calendar days of the date of notice of permission. Failure to enter into a tenancy agreement and to provide the information required by section 38.13 within the applicable periods shall invalidate the permission granted to rent his/her Strata Lot.

38.11 Any Owner whose permission to rent is invalidated pursuant to section 38.6 may reapply, in writing, to be placed on the rental request waiting list and his/her name shall be added at the bottom of the current rental request waiting list.

38.12 When an Owner who has obtained permission from the Strata Council to rent his/her Strata Lot has entered into a tenancy agreement, the Owner shall deliver to the Strata Corporation the following information within ten (10) calendar days of the date of the tenancy agreement:

- 38.12.1 the name, address, daytime and evening phone numbers of each tenant or person who will occupy the Strata Lot during the term of the tenancy;
- 38.12.2 the address and telephone number of the Owner which will be in effect after the commencement date of the tenancy agreement;
- 38.12.3 the commencement date and term of the tenancy agreement;
- 38.12.4 a completed "Notice of Tenant's Responsibilities" Form "K" pursuant to the Strata Property Act.

38.13 Only a Strata Lot in respect of which permission to rent has been granted pursuant these By-laws and which has not been invalidated pursuant hereto may be rented by an Owner.

38.14 Permission to rent any Strata Lot shall be deemed to be cancelled in any of the following events:

- 38.14.1 in the event that the tenant or tenants named in Form "K" cease to occupy the Strata Lot as their principal residence; or
- 38.14.2 in the event that the rental agreement in respect of which it was issued is terminated or expires without renewal **and the Owner has not re-rented the Strata Lot within 90 calendar days.**

38.15 When permission to rent has been deemed to be cancelled, the Owner may reapply, in writing, to be placed on the rental request waiting list and his/her name shall be added at the bottom of the current rental request waiting list.

38.16 Any tenant(s) or occupant(s) of a Strata Lot in respect of which permission to rent has been deemed to be cancelled shall be required to vacate and give up the premises. All legal proceedings required for the eviction of the tenants will be undertaken by the Owner of that Strata Lot. If the Owner does not take such legal action to evict the tenant, then the Strata Corporation may undertake such action and all legal and other costs incurred will be charged to the applicable Strata Lot Owner.

38.17 The Strata Corporation shall remove and dispose of any property or possession remaining on common property after notice to remove and dispose of the property has been given to the tenant and the costs of such removal and disposition shall be charged to the Strata Lot Owner.

38.18 The occupancy of a strata lot by any person other than the owner and/or the owner's immediate family for a period in excess of one month shall be considered a lease and be subject to the provisions of this bylaw.

38.19 Any Owner who rents a Strata Lot in contravention of these By-laws, notwithstanding anything else set out herein, shall be subject to a maximum fine of \$500.00 for each contravention. **The \$500.00 fine can be applied every 7 days if an Owner is in violation of the rental bylaw.** For clarity, continuing contraventions applies to contravention of these rental restriction By-laws.

38.20 Any registered Owner effective April 1, 2018, shall be deemed an original Owner, and may continue to rent their strata lot until they are no longer a registered Owner.

A MOTION was made by # 309 and seconded by #3403, that Special Resolution # 1 as having been read be **APPROVED**.

Discussion:

- The Strata Council explained to the Owners that the proposed Rental Restriction was placed on the Annual General Meeting's Agenda due to Owner's requesting it.
- The Strata Council asked Owners to provide feedback on why there was opposition to the Special Resolution.
- Owners voiced that their primary concern was the possible impact on property resale value.

Management reported that the majority of the twenty-eight (28) proxies were opposed to the Special Resolution; therefore, it would not be possible to meet the $\frac{3}{4}$ vote requirement that being fifty-six (56) in the *Strata Property Act BC*; therefore Special Resolution#1 **FAILED**.

The Chair read out the Resolution #2 as follows:

**SPECIAL RESOLUTION #2
AMENDING BYLAW # 51 UNDER STRATA CORPORATION PROPERTY**

WHEREAS the current bylaw 51 reads as follows:

51. No smoking permitted in the common or limited common areas of the building (inclusive of balconies or decks).

BE IT RESOLVED to change the wording of bylaw 51 to:

51. No smoking or vaping (tobacco or marijuana) permitted in the common or limited common areas of the building (inclusive of balconies or decks).

A MOTION was made by #309 and seconded by #908 that Special Resolution # 2 as having been read be **APPROVED**.

Discussion:

The Strata Council explained that this by-law amendment is meant to expand the existing by-law to prohibit the use of marijuana and vaping on common and limited common areas.

There being no further questions, a vote was called, there were seventy (70) votes in favour, with four (4) opposed. Fifty-six (56) votes are required to pass a Special Resolution, as per the $\frac{3}{4}$ vote requirement in the *Strata Property Act BC*; therefore, Special Resolution # 2 **PASSED**.

The Chair read out the Resolution #3 as follows:

**SPECIAL RESOLUTION #3
AMENDING CLAUSE (8) & (9) UNDER PARKING BYLAW**

WHEREAS the current wording of Clause (8) reads as follows:

- (8) The laminated visitor parking permits (available at the caretaker's office) may be used for visits up to 5 (five) days within a one-month period. Visitor parking permits can be obtained from the caretaker between the hours of 8:30am to 4:30pm. These permits must be visibly displayed on the dash of the visitor's vehicle. The visitor lot will be monitored regularly, with license plate numbers recorded. It is the responsibility of each resident to supply their visitor with a parking permit.

BE IT RESOLVED to change the wording of Clause (8) to:

- (8) The laminated visitor parking permits (available at the caretaker's office) may be used for visits up to 10 (ten) days within a one-month period. Visitor parking permits can be obtained from the caretaker between the hours of 8:30am to 4:30pm. These permits must be visibly displayed on the dash of the visitor's vehicle. The visitor lot will be monitored regularly, with license plate numbers recorded. It is the responsibility of each resident to supply their visitor with a parking permit.

WHEREAS the current wording of Clause (9) reads as follows:

- (9) Visitor parking permits for periods of greater than 5 (five) consecutive days must be requested in writing, to the Strata Council. Based on demand, these longer-term requests may be accepted or denied. A maximum of 2 parking permits per strata lot can be displayed at any one time (excluding any long-term passes).

BE IT RESOLVED to change the wording of Clause (9) to:

- (9) Visitor parking permits for periods of greater than 10 (ten) consecutive days must be requested in writing, from the Strata Council. Based on demand, these longer-term requests may be accepted or denied. A maximum of 2 parking permits per strata lot can be displayed at any one time (excluding any long-term passes)

A MOTION was made by #3205 and seconded by #2303, that Special Resolution # 3, as having been read, be APPROVED.

Discussion:

Management explained that there had been a request from the Owners that there be more visitor days available for resident's guests to use visitor parking.

There being no further questions, a vote was called, there were seventy-one (71) votes in favour with three (3) opposed, no abstentions. Fifty-six (56) votes are required to pass a Special Resolution, as per the $\frac{3}{4}$ vote requirement in the *Strata Property Act BC*; therefore, Special Resolution #3 **PASSED**.

The Chair read out the Resolution #4 as follows:

**SPECIAL RESOLUTION #4
ADDING BYLAW # 53
NO PET BYLAW**

WHEREAS the Strata Corporation has over the years experienced numerous incidents due to pets in the building;

BE IT RESOLVED that the Strata Corporation will have a restriction of no dogs and cats in the building effective after the registration of this bylaw. Existing dogs and cats, as registered, will be grandfathered, once a pet passes away it cannot be replaced.

WHEREAS the Strata Corporation has over the years experienced numerous incidents due to pets in the building;

BE IT RESOLVED that the Strata Corporation will have a restriction of no dogs and cats in the building effective after the registration of this bylaw. Existing dogs and cats, as registered, will be grandfathered, once a pet passes away it cannot be replaced.

A MOTION was made by # 309 and seconded by # 3403, that Special Resolution # 4 as having been read be APPROVED.

Discussion:

The Strata Council explained that this proposed by-law had been presented to the Owners to vote upon, due to the increasing cleaning costs associated with residents allowing their pets to defecate and damage common property.

There being no questions a vote was called, there were fourteen (14) votes in favour, with sixty (60) opposed. Fifty-six (56) votes are required to pass a Special Resolution, as per the $\frac{3}{4}$ vote requirement in the *Strata Property Act BC*; therefore, Special Resolution # 4 **FAILED**.

The Chair read out the Resolution #5 as follows:

**SPECIAL RESOLUTION #5
ADDING ITEM (2) TO BYLAW 48 - ELIGIBLE VOTERS/VOTING AT GENERAL MEETINGS**

BE IT RESOLVED that an Owner may not serve on the Strata Council and may not exercise their vote for a strata lot if there are amounts owing to the Strata Corporation chargeable against

the strata lot in respect of strata fees, administration fees, bank charges, fines, penalties, interest or other costs, including the legal cost and insurance deductible assessments.

A MOTION was made by #309 and seconded by #2303, that Special Resolution # 5 as having been read be APPROVED.

An AMENDMENT was proposed by #309 and seconded by #2303 to remove the wording administration fees, bank charges, fines, penalties, interest or other costs, including the legal cost and insurance deductible assessments from the Special Resolution.

Upon a vote being taken on the amendment, all votes were in favour; therefore, the AMENDMENT PASSED.

Discussion:

There was no further discussion.

Upon a vote being called on the now amended motion, there were fifty-six (56) votes in favour, with eighteen (18) opposed. Fifty-six (56) votes are required to pass a Special Resolution, as per the $\frac{3}{4}$ vote requirement in the *Strata Property Act BC*; therefore, Special Resolution # 5 PASSED.

The Chair read out the Resolution #6 as follows:

**SPECIAL RESOLUTION #6
CONTINGENCY FUNDING FOR
MEMBRANE / CONCRETE REPAIRS ON BALCONY EYEBROWS**

BE IT RESOLVED that the Owners of Strata Corporation BCS 3037 “Centrepoint”, hereby approve up to \$100,000.00 to be taken from the Strata Corporation’s Contingency Fund to replace the membrane and make concrete repairs on the exterior eyebrows of the balconies on the north-east side of the building.

A MOTION was made by #309 and seconded by #3403, that Special Resolution #6 as having been read be APPROVED.

Discussion: Management explained that the Strata Corporation discovered in 2015 that the membranes on the building’s eyebrows had failed, which could result in a possible water ingress into the building. As a result, in 2016, the Strata Corporation replaced the eyebrow membranes on the south face of the building. It was also recommended to the Owners that in 2018 and 2020 the remaining two sides of the building would have their eyebrow membranes replaced.

There being no questions, a vote was called, there were seventy-one (71) votes in favour, with three (3) opposed. Fifty-six (56) votes are required to pass a Special Resolution, as per the $\frac{3}{4}$ vote requirement in the *Strata Property Act BC*; therefore, Special Resolution #6 PASSED.

J. REPORT ON INSURANCE COVERAGE

The Management Company was asked to explain that under *the Strata Property Act*, it is required that the Certificate of Insurance, with the information on the insurance coverage be provided to all Owners at the Annual General Meeting. The Certificate was included with the Invitation to the AGM so that all Owners can provide a copy of this to their insurance broker or insurance carrier to make sure that their condominium insurer is aware of the deductibles and the amounts insured, to allow for proper insurance protection to be carried by Owners.

The building's insurance policy is written on a replacement basis, providing full replacement coverage for perils including earthquake. All Owners should be aware that the policy covers only what was originally built by the Developer/Builder and any upgrades or replacements, for such items as flooring, kitchen or bathroom cupboards and/or counters, etc. are not covered under this insurance policy and must be covered under the owner's own condominium coverage.

Owners must also be aware that the Strata's Policy carries a **\$5,000.00** 'all loss' deductible, a water damage deductible of \$20,000.00 and flood damage deductible is \$25,000.00. The Strata's By-Laws require that an Owner becomes responsible for the deductible if there is an occurrence, which emanates from their suite.

Owners need to make sure that the Homeowners Insurance they have purchased covers all of the contents of their Strata Lot, including the walls, doors, appliances, etc., to ensure that if there is an Insurance loss in their Suite, they are fully covered. They should also encourage their tenants to purchase insurance cover. There have been instances in the Strata Corporation and other buildings where Owners have purchased the incorrect Insurance coverage and as a result they were personally responsible for the repairs in their Suite as it did not exceed the Building's Insurance deductible.

K. ELECTION OF STRATA COUNCIL

As required under the *Strata Property Act of BC*, the President announced that all of the 2017 Strata Council Members are resigning.

Management, on the behalf of the Owners, thanked the Council Members for their service over the past year, as there is a significant amount of volunteer time required to serve on the Strata Council; and for their many hours of conscientious effort running the affairs of the Strata Corporation in a very efficient and economical manner

The following Owners were nominated for the 2018 Strata Council.

Jeff Leong	Nick Canosa
Carlos Lau	Raymond Lee
Kevin Lam	Bruce Partridge
Jason (Yun) Wang	Linli (Lily) Ruan
Yun Liu	Cheng Yuan (Lysandra) Lee
Hongyang (Fred) Zhang	

There being no further nominees put forward, a MOTION was made to cease nominations.

The Strata Property Act of BC requires that a Strata Council be composed of at least three (3) members, but not more than seven (7).

With eleven (11) Owners having been nominated, a secret ballot was conducted. After a count of the votes, the following Owners were elected to serve on the Strata Council:

Nick Canosa	Jeff Leong
Raymond Lee	Linli (Lily) Ruan
Jason (Yun) Wang	Cheng Yuan (Lysandra) Lee
Yun Liu	

L. DISCUSSION

- Owners asked that the Strata Corporation be more lenient with by-law violation fines.

It was asked that more evidence be provided in the by-law infraction letters, if available, so residents have a clear understanding of the by-law violation. It was also noted by Council that video footage of garage gate violations is available from Management via Dropbox; however, it will take a couple of days to get the footage to the Owner.

- An Owner asked that budget break out by-law fine revenue versus administration fees and interest, and that the caretaker's additional costs outside of salary be split out.
- It was also requested that there be an annual performance survey for the caretaker sent out to the Owners. It was also noted that some Owners appear to have a conflictual relationship with the Strata Corporation, so Owner feedback would be weighed accordingly.
- The Strata Council explained that due to the high volume of use on the elevators, the elevators do periodically break down. The Strata Council asked that Owners/tenants do not hold open the elevator doors, as it could cause the elevator to cease functioning, please use the hold open button on the elevator control panel instead.

One of the elevators did have to be shut down last year, as the cables began to wear, due to high use. Management very quickly arranged for the elevator cables to be replaced on a Friday, with ThyssenKrupp performing the work at no cost to the Strata Corporation.

If Owner/tenants have an issue with the elevators, please notify the caretaker or Management, so ThyssenKrupp, the building's elevator maintenance company, can be contacted and technicians can be dispatched to repair the elevator.

- Owners asked the new Strata Council to review the workload and performance of the caretakers, to ensure that everything is being done as per their contracts.
- The Washer hose replacement project is expected to begin in early 2018. Please watch for notices.

M. ADJOURNMENT

There being no further business to transact, upon a MOTION duly made it was resolved that the meeting would be adjourned at 9:33p.m.

The Strata Property Act of B.C. requires a vendor to provide purchasers with copies of Minutes. Please retain these Minutes provided to you, for further reference; replacement copies will be subject to payment of a fee.

Minutes prepared by:

**Quay Pacific Property Management Ltd.
& National Pacific Real Estates Services Inc.**

**885 Helmcken Street
Vancouver, BC, V6Z 1B1
Ph. 604-685-8830 Fax: 604-685-1423
E-mail: Vancouver@quaypacific.com**