

MINUTES OF COUNCIL MEETING

STRATA PLAN BCS-460

CLASSICO

HELD On Thursday, January 26, 2012 at 5:30 p.m. in the Library, 1328 West Pender Street, Vancouver, B.C.

PRESENT Roman Piechocki President and Treasurer
Peter van Diepen Vice-President
Lawrence Keenan (*Lawrence Keenan departed at 6:40 p.m.*)
Irfaan Hafeez

REGRETS Douglas Soo

STRATA AGENT Bill West, Vancouver Condominium Services Ltd.

GUEST Sean Cornish, Regional Director, Vancouver Condominium Services Ltd.
(*Sean Cornish arrived at 6:15 and departed at 6:40 p.m.*)

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

MINUTES

It was moved, seconded and carried to adopt the minutes of the December 14, 2011 council meeting, as circulated.

GUEST

Mr. Cornish was invited by council to attend the meeting to discuss changes underway at the management company, Vancouver Condominium Services, following the purchase by First Service Residential. Mr. Cornish related various improvements in systems currently in progress and spoke of future improvements envisioned. Mr. Cornish mentioned that the buying power of the parent company was great enough to be able to obtain immediate reductions in contract prices from specific vendors such as Otis Elevator and Waste Management. Additionally, Mr. Cornish spoke of technological improvements and efficiencies that will be implemented in the following year. Council thanked Mr. Cornish for attending the meeting and briefing them on the state of the management company's transition.

FINANCIAL REPORT

1. **Monthly Statements:** The treasurer noted expenses are in line with the budget and there is currently a slight cash surplus. It was moved, seconded and carried to adopt the November and December, 2011 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 4th month ending December 31, 2011 in the appropriate funds are as follows:
 - Total Cash Balance \$828,888 (including CRF Balance)
 - CRF Balance \$520,419 (Contingency Reserve Fund)
3. **Arrears:** The status of owners' accounts was reviewed by council and no action is currently warranted.

BUSINESS ARISING

1. **Booster Pump Replacement Project:** As reported in the December minutes, the Booster Pump Replacement Project is complete. Council is in the process of submitting the request for an energy rebate to BC Hydro.
2. **Commercial Section Drainage System:** Pacific West Plumbing concluded the improvements of the commercial section drainage system to re-route the sanitary lines from three commercial units. The work has been inspected by a senior staff member from Pacific West Plumbing and now awaits final City inspection to officially conclude the project.
3. **Parkade Lighting Replacement Project:** The agent reported that contracts have been issued to conduct Phase I of the Parkade Lighting Replacement Project. Mott Electric has been contracted to install lighting for \$12,586 and Commercial Lighting Products has been contracted to supply lighting equipment valued at \$12,143.38. Once Phase I is complete, council will submit a request to BC Hydro for an energy rebate anticipated to be in the amount of approximately \$14,000. Work to plan and approve Phase II of the parkade lighting replacement project is in progress.
4. **Roof Anchors:** The annual roof anchor inspection was completed by NTEC Industries on January 12, 2012. The cost of the inspection was \$739.20 including HST.
5. **Bedbugs:** A tenant reported having found bedbugs within their unit. The owner advised council that a professional exterminator was hired to provide treatment. The agent contacted the owner and requested proof of treatment and a report history to confirm successful treatment. The owner submitted a single invoice which council deemed

inconclusive proof. The strata council instructed the agent to hire a pest control company to inspect the unit in order to ensure there is no bedbug activity.

6. Roof Boilers: Ram Mechanical has been contracted to replace the anode rods in four hot water storage tanks at a cost of \$950 plus HST.
7. #3705 Insurance Claim: The strata insurance broker, BFL Canada, reported that a claim which occurred as a result of a flood in unit #3705 and affected unit #3605 has been concluded. The total cost of repairs was \$14,147.91.
8. Smithrite Cardboard Recycling Container: The council has requested the agent negotiate with Smithrite Disposal to purchase outright or to obtain a lower rental fee for the cardboard recycling container prior to the June 30, 2012 garbage contract renewal deadline.

CORRESPONDENCE

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

1. An owner wrote complaining of noise from heavy exercise weights being dropped within the gym. Council discussed the circumstances and will advise the owner that, in future, such noise complaints must be reported immediately to building staff who will investigate and remedy.
2. Correspondence was received from an owner requesting a fine reversal for a late strata fee payment due to circumstances beyond their control. The council reviewed the owner's circumstances and agreed to reverse the fine.

NEW BUSINESS

1. As a result of owner inquiries, council requested the agent illustrate the process by which owners are informed of bylaw violations. The agent stated that upon receipt of a complaint, council directs the strata agent to send a letter to the offending party specifying the details of the complaint as well as the bylaw or rule which was violated. The letter also states the maximum amount of the fine which may be imposed by the strata council. The owner is given two weeks to respond in writing if they disagree with the particulars in the complaint or feel that the imposition of a fine would be inappropriate for any reason. Additionally, owners are given an opportunity to request a hearing with council in accordance with section 135 of the *Strata Property Act*. After two weeks from the date of the letter if no response has been received, the council will review the facts of the complaint and decide what action and fine, if any, is appropriate.

Complaint, right to answer and notice of decision

135 (1) *The strata corporation must not*

(a) impose a fine against a person,

(b) require a person to pay the costs of remedying a contravention, or

(c) deny a person the use of a recreational facility

for a contravention of a bylaw or rule unless the strata corporation has

(d) received a complaint about the contravention,

(e) given the owner or tenant the particulars of the complaint, in writing, and a reasonable opportunity to answer the complaint, including a hearing if requested by the owner or tenant, and

(f) if the person is a tenant, given notice of the complaint to the person's landlord and to the owner.

(2) The strata corporation must, as soon as feasible, give notice in writing of a decision on a matter referred to in subsection (1) (a), (b) or (c) to the persons referred to in subsection (1) (e) and (f).

(3) Once a strata corporation has complied with this section in respect of a contravention of a bylaw or rule, it may impose a fine or other penalty for a continuing contravention of that bylaw or rule without further compliance with this section.

2. Bylaw Violation – Form K: Council reviewed a bylaw violation complaint sent to an owner that had failed to submit the required Form K - Notice of Tenants Responsibility following an October move. Council reviewed the history of the complaint and voted to fine the owner \$200.
3. Bylaw Violation – Damaging Common Property: Council reviewed a bylaw violation complaint lodged against an owner that had soiled the common property following a party. Council voted to impose the maximum fine of \$200 plus the cost of building staff overtime necessary to clean up the common area.
4. Bylaw Violation – Parking: Council reviewed a bylaw violation complaint lodged against a tenant for a violation of parking bylaws for allowing a non-resident to utilize a parking stall. The owner responded claiming the car in question was the tenant's guest. After a thorough review of the incident history, council voted to fine \$200 for the violation.
5. Sale of #320 – 638 Broughton Street Commercial Unit: The developer, Pinnacle Pender, informed the strata council that this unit has been sold and the property will convey on January 31, 2012.

6. Parkade Break-in: The council reported there was a parkade break-in on January 18th despite many improvements in building security. Owners are reminded to please wait for the parkade gate to fully close when entering or leaving the building.
7. Annual Fire Inspection: Mountain Fire Protection has been contracted to conduct the annual in-suite and common area fire equipment inspection. The in-suite testing will be conducted on Thursday, February 16th and Friday, February 17th. Notices have been posted informing residents of the schedule. Owners and residents are reminded that suite access is mandatory. The cost of the in suite testing is \$3,400 plus HST.
8. Dryer Vent Cleaning: Council is in the process of reviewing quotes for dryer vent cleaning which will be scheduled some time in February/March. Owners will be notified as suite access will be necessary.
9. Window Washing: Council approved a quote from Pacific Heights Services Inc. to conduct window washing and apply the Crystal Clear Compound to the south and west elevations in order to remove calcium deposits from windows. Total cost of the service is \$26,600 plus HST. This will conclude the Crystal Clear treatment which had previously been applied to the north and east sides of the building in 2011.

There being no further business, the meeting was adjourned at 8:15 p.m. The next meeting will held on February 28, 2012 at 5:30 p.m.

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BW/ab

STRATA PLAN NUMBER

Please note your strata plan number on the front of these minutes. It is very helpful (especially in emergency situations) if you can provide your strata plan number when calling our office as it allows for quick access to your file.