

MINUTES OF COUNCIL MEETING

STRATA PLAN LMS-4050

THE 501

HELD: On Monday, July 5, 2010 at 7:00 p.m. in Manager's Office, 501 Pacific Avenue, Vancouver, B.C.

PRESENT:

Brent Belsher	President
Brenda Lea Brown	Vice-President
George Afleck	Treasurer
Rodney Legrow	Landscape

REGRETS:

Jenny Ashton	Secretary
Rob McDowell	Project Liaison
Nicholas Najda	

STRATA AGENT: Bunny Porteous, Vancouver Condominium Services Ltd.

The meeting was called to order at 7:10 p.m.

MINUTES

It was moved, seconded and carried to adopt the minutes of the June 7, 2010 council meeting with the following amendments:

Under Financial Report:

"Swimming Pool Fund: The council approved the Swimming Pool Fund deficit in the amount of \$1,35.88 be funded from the Residential CRF."

Should read:

"Swimming Pool Fund: The council approved the Swimming Pool Fund deficit in the amount of \$1,358.88 be funded from the CRF Residential."

BUILDING MANAGER'S REPORT

- Ponds-waterfall painting and repairs has been completed. Three jets will be installed at the Pacific Street pond.
- Parkade entrance and descent scrubbed and hosed down.

- Volleyball court and area clean up.
- Sump pumps and pits cleaned.
- Storage room cleaned and junk removed.

The building manager received quotes between \$3,500 - \$5,000 to replace the foosball machine in the games room. The council deferred discussion.

FINANCIAL REPORT

1. Monthly Statement: Following review and discussion, it was moved, seconded and carried to adopt the June 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.

BUSINESS ARISING

1. Exterior Maintenance Project:
 - (a) Tower: The Exterior Maintenance Project was substantially completed as of June 17, 2010. Notice of Certificate of Substantial Completion has been posted in the entrance of the building for a period of 55 days. All persons entitled to claim a lien under the *Builders Lien Act* who performed work or supplied materials in connection with the contract after this date, the lien holdback will be released to the contractor.
Posting of the Certificate of Substantial Completion Notice is a required procedure for all major projects.

Pro Star Painting has completed the outstanding deficiencies identified by the owners in surveys and letters submitted to VCS between November 2009 and June 2010. SEE submitted the following response to several owners concerns:

1. Caulking not replaced under sliding glass door – this was not part of the original contract. Metal-to-metal sealant has been done as change order items. The technician took a look at the sealant at units #504 and #506 and all are in very good condition.
2. Bug holes in concrete walls around deck – the bug holes are in the parapet walls and do not form part of the building. Therefore, it would only be a cosmetic repair item. The technician does not think it is required.

3. Rusted sliding door sill flashing – this was never part of the original contract. There is a minor amount of rust but it does not warrant replacement as a building envelope item and as such, should be replaced for cosmetic reasons.

IMPORTANT

Owners whose deficiencies (submitted to VCS prior to June 30th) are not completed should contact VCS by July 19th.

The final invoice from Pro Star Painting & Restoration for the Exterior Maintenance Project was received in the amount of \$50,601.21. Council agreed to hold payment of the invoice for two weeks to ensure all deficiencies are completed.

The agent has requested Spratt Emanuel Engineering provide the warranties for the Exterior Maintenance Project.

- (b) Townhouse Repairs: Barclay Restoration is proceeding to repair the 3rd floor walls in units: #202, #203, #204, #205, #206, #207 and #210 with new steel studs and polyurethane foam insulation as recommended by Spratt Emmanuel Engineering and approved by the owners at the SGM on June 14, 2010.
2. Building Maintenance Report: No report available.
 3. Landscaping: Para Space Landscaping is scheduled to complete the landscaping upgrades in the amount of \$3,500 the end of July.
 4. Storage Room/Amacon: The strata corporation's legal counsel Clark Wilson submitted a letter on behalf of the strata corporation to the legal counsel for Amacon-Onni (McCarthy Tetrault) to request Amacon-Onni (owners) provide proof or evidence of the apparent entitlement for the use of the large common area storage room. A letter of response was received from McCarthy Tetrault informing the strata council that Amacon-Onni was granted a leasehold interest in the residential storage area prior to the creation of common property. Strata council will review the letter with the strata's legal counsel.
 5. Window Cleaning/Allstar: Allstar Window Cleaning will be on site starting Wednesday, July 7th to Wednesday, July 21st (weather permitting) to wash all exterior inaccessible windows, Juliet balconies (03 and 08), exterior of all balcony railing glass, inaccessible townhouse windows and lobby windows.
 6. Annual Fire Inspection: Mircom Inc. was on site May 28th to June 1st to complete the annual service and testing of the building fire alarms, sprinkler systems and extinguishers. The quote was received from Mircom in the amount of \$1,649.50 plus taxes to complete the following deficiencies:
 - One fire extinguisher requires HST service.
 - Five fire extinguishers require six-year service.

- Two new fire extinguishers are required.
- 30 suites were not available at time of testing. Units TH201, 501, 610, 701, 1005, 1103, 1101, 1210, 1208, 1505, 1708, 1701, 1802, 2002, 2210, 2203, 2202, 2304, 2303, 2410, 2408, 2406, 2404, 2503, 2601, 2710, 2706, 2809, 2907, 2901.
- Suite 2310 requires a new speaker as the sound is too low.
- Suite 901 requires a new speaker as they put a screw through it.
- 8 suites require new smoke alarms.
- Unit 2102 has covered the smoke alarm which is a fire code violation.
- Unit 2004, 1510 and 908 have disconnected the fire speakers which is a fire code bylaw violation.

The council approved the deficiencies cost in the amount of \$1,649.50. The agent was directed to schedule a second visit for the 30 units not available for the mandatory fire equipment testing. The owners will be required to pay a shared cost of the second visit.

7. Power Sweeping: Valley Power Sweeps will be on site July 12th and July 13th to power wash the underground parkade. Residents are required to ensure that all vehicles are removed from the underground parkade during this time:
8. Council approved the proposed amended rules which will be posted on the strata corporation website. Residents and non-residents are highly encouraged to review the rules which will be strictly enforced.

CORRESPONDENCE

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

1. A letter was received from an owner requesting the \$100 move in fee be reimbursed as the owner purchased a furnished unit. The agent was directed to submit a letter to the owner outlining "*the strata corporation move fee the move fee of \$100 is charged to each strata lot for the move in*" and council denied reimbursement of the fee.

2. There has been an increase in noise complaints. Recent complaints have been received from owners on the 28th, 23rd, 16th and 15th floor outlining excessive noise emanating from neighbouring units. Bylaw violation warning letters have been submitted to residents and tenants outlining the noise complaints and the strata corporation bylaw 3.1 (a), (b) and (c):

3. Use of property

- (1) An owner, tenant, occupant or visitor must not use a strata lot, the common property, or common assets in a way that, in the opinion of the strata council:
 - (a) Causes a nuisance or hazard to another person
 - (b) Causes unreasonable noise
 - (c) Unreasonably interferes with the rights of other persons to use and enjoy the common property, common assets, or another strata lot

Owners will be required to contact VCS within 14 days if they feel a fine should not be imposed or request a hearing with the council.

IMPORTANT

The 501 is home to people of various ages, family sizes, cultures and lifestyles, please keep in mind the challenges of high-density living and keep noise levels to a reasonable limit. With summer upon us, windows and doors are left open and noise will increase. Disturbing other occupants is not acceptable and the bylaws will be enforced.

NEW BUSINESS

1. Filtered Water: The council approved the installation of a filtered cooler in the exercise room (eco-friendly bottle less water cooler systems) with a monthly maintenance cost of \$29.95 plus taxes per month.
2. Unit 2901/Leak: Milani Plumbing was contacted to investigate a flood in unit 2901 and discovered the pipe under the owner's bathroom sink had disconnected causing water damages in units #2901, #2902, #2801 and #2701. As the resultant damages are below the strata corporation water damage deductible (\$10,000) and the maintenance of the pipes under the sink are the owner's responsibility to maintain, the owner contacted their home insurance to file a claim for the repairs to all affected units.

3. The building manager attended to a flood in unit #707 on June 26th and discovered the washing machine had overflowed causing damages in unit #707, #607 and #507. As these are under the water damage deductible of \$10,000, and the maintenance of washing machines are the owner's responsibility, the owner will be charged back for the repairs in units #607 and #507.
4. Sewer Malfunction: On June 8th at 2:30 p.m. the sewer pit main pipe broke inside the sump pump pit backing up into the P4 parkade causing one of the pumps transformers to burn out. Milani Plumbing was contacted to clean the pit and areas and replace the transformer.
5. Unit 2601: On June 26th the tenant in unit 2601 rented the games room for a private party which became out of control. The security tried with no success to lower the volume of the music and stop some of the guests from yelling in the lobby and outside the front lobby area. The party was finally shut down and the room was left in a horrendous mess. A bylaw violation letter has been submitted to the owner of unit 2601 to advise of the occurrence and strata corporation bylaws and rules which had been violated. The owner is required to contact VCS within 14 days if they disagree with the fines or wish to attend a hearing at the next council meeting to discuss the issue. The unit's privilege to rent the games room and guest suite has been revoked
6. Pool Deck: On Sunday, June 26th the tenant of a unit on the 26th floor was observed on the pool deck with a dog who had defecated on the pool deck which was not cleaned up by the tenant. A letter was submitted to the owner of unit 2601 outlining bylaw 3 (3) (6):

(6) *Pets are not permitted in the guest suites, games room, fitness room, pool or spa*

The owner has been requested to contact the tenant to discuss the bylaw violation complaint letter. The owner has 14 days to advise the council if they disagree with the complaint or fine.

7. Games Room/Dog: Following a review of the security surveillance system of the games room on July 1st, it was observed that a resident of a unit on the 20th floor allowed a dog to run free in the games room and the tenant also left the room in a mess. Strata corporation bylaw 3(3), 3(3)(6) and 3(3)(7)states:

(3) *Within 10 days of a dog residing in a strata lot, the resident must provide in writing the name of the dog, breed, colour, and markings, current City license number, together with the name, strata lot number, and telephone number of the pet owner.*

(6) *Pets are not permitted in the guest suites, games room, fitness room, pool or spa*

- (7) *Pets must always be taken off common property to relieve themselves. If any pet urinates or defecates on common property, or limited common property, the person responsible must immediately and completely remove the pet waste and dispose of it in a waste container or by some other sanitary means.*

A bylaw violation complaint letter has been submitted to the owner of the unit to advise that the strata corporation may impose a fine of \$200 in contravention of each bylaw. The owner is requested to submit a letter in writing prior to July 20th if they disagree with the particulars in the complaint or if they feel the imposition of a fine would be inappropriate.

8. Interior Upgrades: The council is preparing a proposal to upgrade the furniture in the lobby, games room and TV room to be reviewed at the next council meeting.

There being no further business, the meeting was adjourned at 9:20 p.m. The next meeting will be held on Monday, September 6, 2010 at 7:00 p.m.

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BP/af

HST AND STRATA FEES

The HST legislation became law on April 30th, and becomes effective July 1st. 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 1st.