

MINUTES OF COUNCIL MEETING STRATA PLAN LMS-4050 THE 501

HELD

On Monday, May 2, 2011 at 6:00 p.m. in the Manager's Office, 501 Pacific Street, Vancouver, B.C.

PRESENT

Brent Belsher
George Afleck
Rob McDowell
Rodney Legrow
Harvey Wolfson
Brenda Lea Brown
Jenny Ashton

STRATA AGENT

Bunny Porteous, Vancouver Condominium Services Ltd.

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

ELECTION OF OFFICERS

Brent Belsher	-	President
Brenda Lea Brown	-	Vice-President
George Afleck	-	Treasurer
Jenny Ashton	-	Secretary

COMMITTEES

Harvey Wolfson	-	Legal
Rodney Legrow	-	Landscaping
Rob Mcdowell	-	Project Liaison

BUILDING MANAGER REPORT

- Allstar completed the pressure washing of walkways, courtyard, pool deck, parkade ramp and lobby entrance.
- Milani completed the quarter-annual preventative mechanical maintenance:
- Simson Maxwell completed the annual emergency generator testing.
- Service Master completed the quarter-annual carpet maintenance.

MINUTES

It was moved, seconded and carried to adopt the minutes of the March 15, 2011 council meeting, as circulated.

FINANCIAL REPORT

1. Monthly Statement: Following discussion, it was moved, seconded and carried to adopt the March and April 2011 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. Account Balances: The current balances for the 3rd month as at April 30, 2011 in the appropriate funds are as follows:
 - Total Cash Balance \$491,769.74 (including CRF Balance)
 - CRF Balance Residential \$243,884.03 (Contingency Reserve Fund)
 - CRF Balance Commercial \$ 38,478.49 (Contingency Reserve Fund)
3. Invoices: The following invoices were reviewed and approved:

•	Lesperance Mendes Lawyers	Lease of common property. Developments to February 1, 2011.	\$487.20
•	Lesperance Mendes Lawyers	Use of common property. Developments to April 1, 2011.	\$1,309.84
•	Milani Plumbing & Htg.	Replacement of second sump pump P4 level (to be funded from CRF).	\$3,106.88
•	Urban Barn	Coffee and end table for lobby.	\$244.16
•	Allstar Windows	Pressure cleaning walkways, courtyard, ramp, entrance.	\$3,624.71
•	Extreme Glass	Two glass canopy panels – Insurance Claim.	\$2,700.32
4. Audit: The agent was directed to submit a copy of the audit letter from RHN which outlines information and comments for council's reference, regarding the fiscal year end audit.

BUSINESS ARISING

1. **Building Maintenance Plan/Reserve Study:** The owners approved at the AGM to proceed with a Reserve Study/Maintenance Plan with a maximum expenditure of \$15,000 (included in the operating budget). Council member Rod McDowell will review the proposals submitted by Halsall and RDH Engineering and provide a report at the next council meeting.
2. **Common Property Storage Room:** The owners approved two resolutions at the AGM to pursue legal proceedings to acquire a \$1,925 square foot storage area that was not included by the developer in the handover of The 501 to the strata corporation.

The strata corporation's legal counsel Paul Mendes (Lesperance Mendes Solicitors) will review all documentation regarding the common property storage room and provide an opinion to the council.

3. **Fire Inspection:** Mircom is scheduled to perform the annual service and testing of the building's fire alarms, sprinkler system and extinguishers between May 30th and June 1st.

The smoke alarms and fire safety devices must be tested in each suite according to the Vancouver Fire Code.

Access into your suite is required as follows:

May 30th	8:30 a.m. – 2:30 p.m.	33rd floor to 21st floor.
May 31st	8:30 a.m. – 2:30 p.m.	20th floor to 10th floor.
June 1st	8:30 a.m. – 2:30 p.m.	10th floor down including townhouses and commercial rental units.

Technician will start at the top floor and continue down floor by floor.

The testing of the equipment in the common areas will commence as follows:

May 30th, 31st & June 1st, 2nd **The fire alarm will ring periodically during this service.**

Please make sure that arrangements are made for the technician to access your suite and test your safety equipment. Mircom will not enter any suites unescorted. If you are not able to provide access to your suite, please make arrangements to drop off keys to a neighbour or the building manager's office on the 3rd floor. Units not available for access will be considered in violation of the strata corporation Bylaw 7.1 (b)

7. *Permit entry to strata lot*
 - (1) *An owner, tenant, occupant, or visitor must allow a person authorized by the strata corporation to enter the strata lot under the following conditions:*

- (b) *At a reasonable time, on 48 hours' written notice, to inspect, repair, or maintain common property, common assets and any portions of a strata lot that are the responsibility of the corporation to repair and maintain under these bylaws, or insure under section 149 of the Act, and to ensure compliance with the Act, these bylaws, and the rules of the strata corporation. Written notice must specify the date and approximate time of entry, and reason for entry.*

and assessed a Bylaw violation fine (\$200) to their account. Please note strata bylaw 24.1

24. *Continuing contravention*

- (1) *If a bylaw contravention continues without interruption for longer than 7 days, then the strata corporation may impose a fine on an owner every 7 days.*

4. Dryer Vent Booster Fans: The building manager will contact residents on the dryer vent booster fan waiting list to schedule the installation of the dryer vent booster fans and complete water damage repairs to the ceilings.
5. Dryer Vent Maintenance Cleaning: Michael A. Smith Duct Cleaning is scheduled to complete annual dryer vent cleaning from the exterior May 30th to June 2nd (weather permitting). Access into units will not be required.
6. Unit #206 Spratt Emanuel Engineers were contacted to complete a review of the moisture ingress and window detailing of the window sill of the ground floor bathroom unit in unit #206 and observed that an improperly applied vapour barrier was allowing warm interior air to condense on the cold steel studs directly in contact with the exterior concrete wall. Specifications were prepared by Spratt Emanuel Engineering for Barclay Restoration to remove, re-detail and re-install the existing window at a cost of \$1,504.16.

The owner of unit 206 submitted a letter for council's approval to install engineered hardwood floors (with proper sound transmission rating) and complete painting. The agent will submit a letter of approval on condition the strata corporation bylaws are strictly adhered to.

CORRESPONDENCE

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

1. Correspondence was received from an owner on the 16th floor concerned with excessive noise emanating from two neighbouring units. Bylaw complaint violation letters have been submitted to the residents outlining bylaw 3.1 (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:*
- (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*

REMINDER TO RESIDENTS

The 501 is a home to people of various ages, family sizes, cultures and lifestyles. Please keep in mind the challenges and limits of high density and keep noise levels to a reasonable limit. Disturbing other occupants is not acceptable and the bylaws will be strictly enforced.

2. A letter was received from the new owners of unit #1508/#1509 requesting council's approval to complete the following renovations, installation of floor tiles, removal of a pony wall (non-load bearing), install new lighting, sinks, faucets and toilet and re-locate the fireplace to the exterior wall. The building manager has advised the owner that the gas pipe that leads to the fireplace is imbedded into concrete and cannot be re-located.

The agent was directed to submit a letter of approval to the owner to proceed with all renovations, except for the re-locating of the fireplace to the exterior wall. The owner is required to strictly adhere to the strata corporation's renovation bylaws and submit memos to neighbouring units and the building manager with the time frame of the repairs.

3. The owners of #603 submitted a letter requesting approval to remove the carpet and replace with laminate flooring, including an Eco Cork Foam underlay (71 STC 67 acoustics sound transmission rating). Eco Cork Foam is exclusively formulated to provide lifelong reduction of noise and sound transmission plus vibration suppression between floors in high-rises. The agent will submit a letter of approval to the owner on condition:
- (1) A copy of the invoice, outlining the manufacturer's details of the flooring and underlay is submitted to Vancouver Condominium Services.
 - (2) Area rugs be laid in high traffic areas.
 - (3) Shoes not be worn inside the unit when walking on the laminate floor.
 - (4) Memos distributed to neighbouring units and the building manager with the time frame of renovations.

NEW BUSINESS

1. Annual General Meeting: New Business items from the AGM held on April 11, 201:
- (a) Fitness Centre Subcommittee: The owners approved \$16,000 to upgrade the fitness centre. Council member George Afleck and Kim Brand will prepare a proposal for council's review to upgrade the fitness centre.

- (b) AV Room Subcommittee: Council member Rodney Legrow volunteered to contact a designer to obtain recommendation to refurbish the AV room, maximum expenditure of \$15,000 approved at the AGM.
 - (c) Security Cameras/Parkade: An owner requested the council review the installation of security cameras in the parkade. The council reviewed a quote last year from Citiloc in the amount of \$46,800 to install security cameras and did not feel the cost was feasible. The building manager will monitor the parkade for vehicle vandalism and advise the council if security cameras are warranted.
2. Commercial Washroom Refurbishment: The council approved a quote from Amacon (commercial units) in the amount of \$2,000 plus HST to remove and replace the flooring and baseboards, paint and replace lights and cupboards in the commercial men's and women's washrooms.
 3. Suggestion Box: Residents are recommended to submit concerns, inquiries, complaints in the building manager's door or e-mail to manager@the501.net.
 4. Absentee Owner Communication: Council member Brenda Lea Brown discussed the importance of communicating with absentee owners.
 5. Earthquake Preparedness: Council member Brenda Lea Brown recommended the council prepare information on emergency preparedness for the residents at The 501.

There being no further business, the meeting was adjourned at 7:30 p.m. The next meeting will be held on Monday, June 6, 2011 at 10:00 p.m.

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BP/lc

ARE YOU RENTING YOUR STRATA LOT?

If so, here is a bulletin you should read. The following is a true story – you will find it interesting and valuable as a non-resident owner.

One Saturday morning, our office received a telephone call on our emergency line that there was a water leak in a building we manage so we dispatched a restoration contractor to mop up the water. The contractor had to access several strata lots to get the job done, and, at one unit, no one answered the door and a locksmith was called to “pick the lock”. Once open, the restoration contractor stepped inside and, to his horror – a fully equipped meth lab.

The police and fire departments were called and the building had to be evacuated. The fire department’s HAZMAT team gingerly dismantled the meth lab. The City then advised that the strata lot could no longer be occupied and, further, the entire strata lot has to now be “deconstructed” and rebuilt. The owner of the strata lot will be facing a cost estimated at about \$100,000 to reimburse the City and to reconstruct. On top of this will be fines from the strata corporation and other legal consequences.

The non-resident owner was in shock to learn all this. It turns out that little was known about the tenant other than he had paid cash for his monthly rent payments and security deposit.

No doubt the vast number of renters in strata corporations are properly screened by non-resident owners such as yourself, or their agents, and in reality there are likely only a few bad apples. Nevertheless, let this true episode serve as a huge heads-up to you (and your rental agent if applicable) that renting your apartment involves a lot more than merely collecting the monthly rent.

You ought to be aware also that most strata corporation insurance policies are now imposing huge deductibles (\$50,000 in some cases) for damages arising from illegal operations. In some policies, the coverage is denied altogether. You can be sure that your strata council is not going to step up to the plate and have the strata corporation pick up the tab if your strata lot is one of these bad apples. Also, be aware of a very significant court case recently heard in the Supreme Court of British Columbia involving insurance claims. The essence of this case is that if an occupant of a strata lot is responsible for the cause of an incident and the insurance of the strata corporation has a deductible, the owner is responsible for paying the deductible. That would be you if your tenant is the culprit for some incident.

Accordingly, we urge you to properly screen your tenants, obtain background and reference checks, and, make frequent inspections of your rental premises. Collecting the rent is the least of your worries given the above facts.