

## Condo Smarts May 1, 2019 To terminate or adjourn?

**Dear Tony:** What happens when a strata corporation does not finish the business on the agenda at their Annual General Meeting? In addition to our annual budget and council election, our strata council decided to add to our agenda a complete set of bylaw amendments, a resolution for major repairs and a presentation on installing electric vehicle charging stations. After 4 hours, the council president adjourned the meeting to continue 5 days later as we did not elect a new council or approve the bylaws. Several owners have challenged the authority of the president to act in this manner as there was no new notice for the meeting and the date and location were not convenient for owners. Is it possible to adjourn a general meeting of the strata corporation? Mae F. W.

**Dear Mae:** The Standard Bylaws of the Strata Property Act and virtually all strata amended bylaws end general meetings by terminating them. A significant principle of the Act, for the protection of owners, is to ensure all the owners or parties with an interest in a strata lot are given proper notice of a general meeting. The agenda for meetings is found in your bylaws or failing that the Standard Bylaws of the Act. The end of the meeting is referred to as terminating the meeting, not adjournment. Any subsequent meetings would require proper notice be given. If your strata corporation has not amended the bylaws to address a quorum issue at a general meeting, and a quorum is not present at the meeting, the meeting stands adjourned for 7 days to the same location at the same time. There are no changes or additions to the agenda and the meeting is called to order with the same notice. To ensure strata corporations provide proper notice of matters to be voted on at general meetings, there is no other provision to recess or adjourn a meeting to a later date or time in the Act, Bylaws or Regulations. If the meeting business cannot be completed, the meeting is terminated and a motion may be made to direct council to give notice of a special general meeting to address the balance of the agenda. Under the Standard Bylaws the term of office of council ends at the end of the Annual General Meeting, when a new council is elected. The best solution to ensure the strata corporation has complied with the proper notice requirements, the agenda requirements and the proper election of council, is to convene a special general meeting with proper notice to elect council and the balance of the resolutions. The strata council may voluntarily give notice of the meeting or 20% of the owners may sign a petition demanding a special general meeting with the resolutions and election of council. Proper notice must be issued, by mail, hand delivery or any other method authorized by the owners and requires 14 days, plus 4 days for notice plus 2 days to account for delivery and receipt of the notice. Collectively notice requires 20 days.

Tony Gioventu, Executive Director CHOA

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