

Condo Smarts February 1 - 7, 2021 Year End Financial Report

Dear Tony: How do we get the year end financial report from our strata corporation? Our fiscal year ends on October 31, and we normally have our general meeting in November to approve the budget for the next year. Our property manager told us with the extensions because of the emergency orders, the strata corporation has an additional 60 days to hold the annual meeting and to provide reports and information. One of the council members has indicated the strata council are significantly over budget for 2020, but no one will give us a copy of the financials and our meeting must be held by the end of February. Clarence W.

Dear Clarence: In May of 2020, the provincial cabinet approved a regulation under the *Strata Property Act* that extends the requirement for the period of general meetings to be held, by an additional 60 days, when a state of emergency for the province or a local region is declared. Even after our current state of emergency is cancelled, this *Regulation* will remain for any subsequent events as it automatically comes into effect when a state of emergency arises.

Regulation 17.23(1) In this section, “declaration of a state of emergency” and “declaration of a state of local emergency” have the same meaning as in section 1 (1) of the Emergency Program Act.(2) If a declaration of a state of emergency or a declaration of a state of local emergency is in effect where the land in a strata plan is located and at any time during the period of one month that ends on the last day on which a general meeting of the strata corporation must be held under any of the following provisions of the Act, the meeting may be held up to 2 months after the last day on which the meeting must be held under the provision:(a) section 16 (1) first annual general meeting to be held by owner developer;(b) section 40 (2) annual general meeting;(c) section 43 (3) special general meeting called by voters (by petition);(d) section 43 (3.1) special general meeting to consider winding-up resolution;(e) section 51 (6) [special general meeting to reconsider resolution passed by 3/4 vote];(f) section 159 (1) general meeting to decide not to repair or replace damaged property;(g) section 230 annual general meeting after deposit of subsequent phase.

The extension to hold meetings in prescribed time periods does not apply to the requirement to complete and provide documents such as financial reports or other provisions of the *Act* or *Regulations*. Within 8 weeks after the end of its fiscal year, the strata corporation must prepare a financial statement updated to the end of the fiscal year. This requirement was not altered by the emergency orders or regulations. The financial statement for the current and previous years is a document the strata corporation must maintain, and an owner is entitled to a copy of this document. It must be provided within 14 days of the request. The financial statement will also establish the balances for the annual tax return of each strata corporation. With so many orders and changes to notice periods, it is easy to understand how confusion was created around this document as it is connected to the financial reports and notices for annual general meetings. All recent changes to the legislation and emergency orders are posted to the CHOA web site under the Covid 19 banner. www.choa.bc.ca.

Tony Gioventu, Executive Director CHOA

Covid-19 Notice: As a precautionary measure to prevent the spread of COVID-19 CHOA staff are working remotely and our offices are temporarily closed. We understand these are challenging times for strata corporations and we are here to help. Even though CHOA advisors are working remotely we are only a phone call or email away and able to assist you with hosting meetings and notice preparation.

Tuesday Lunch & Learn Live with CHOA: CHOA is hosting a series of webinars once a week, for the next few months. Join us each Tuesday as we bring together industry experts to discuss the many issues affecting BC's strata community. For more information visit our website at: <https://www.choa.bc.ca/seminars/>