

**2010 AGM Minutes**  
**VICTORIA VILLA STRATA NES 46**  
**AGM January 15, 2011**  
**Realty Executives Cranbrook Boardroom**  
911 Baker Street, Cranbrook

**Call to Order** by Strata President – Gary McCarthy at 10:20 am  
Gary asked Sharron to Chair the meeting

**Attendance:** Milana Hambalek (1) Rhonda White (1)  
Gary McCarthy (8) Anthony Hernandez (1)  
Joyce Mitchell by phone (3)

**Guests:** 2<sup>nd</sup> Owner from Unit #16. Did not register.

**Receipt of Proxies:**

Tony & Katie Unrau (1)  
Corrine Burns (1)  
Karen Barron (1)

**Confirmation of a Quorum:**

5 owners present. 3 proxies. Eligible votes established 48. 17 votes present – a quorum is established.

**Proof of Notice:**

All those present confirmed receipt of notice.

**Approval of agenda:**

Moved/Seconded/Carried

**Approval of 2009 AGM Minutes as circulated:**

Moved/Seconded/Carried

**Financial Reports:**

- Approval September 30<sup>th</sup>, 2010 Financial Statement;
  - Report and the Operating Budget – no change in Strata Fees:
- Moved/Seconded/Carried

**Review Insurance Coverage:**

Sharron Billey, Strata Manager reported on coverage. All owners must be aware that their individual unit insurance must have a rider to compensate Strata for the deductible for any issue that creates a claim originating from your unit. Water escape issues carry a deductible of \$10,000 now as a standard policy for Strata. Strata cannot assume this expense when each owner needs to take responsible for maintenance of their units.

We have had three claims in 2010. One was a back-up effecting 2 units the other two claims have been charged back to the unit owners. Therefore there was one claim

only with Strata paying the \$2,500 deductible. "Motion to receive 2010 insurance report for information." Moved/Seconded/Carried

#### **Old Business**

- **Snow removal/yard Maintenance:** Milana brought up that there were several resident owners very unhappy with the snow removal that has happened this winter. All present expressed concern of one item or the other over the past few months. Motion "to explore new maintenance person and relieve JGD Handyman ASAP" Moved/Seconded/Carried
- **Un-roadworthy vehicles stored in our Parking lot:** There are two vehicles that will be given tow notices and if not removed will be towed. One owner has been identified – the other has not.

#### **New Business:**

- **Windows:** General discussion and understanding at present level of Strata fees there was no money to replace Windows. All owners will be encouraged to replace their own. Jim & Joyce Mitchell used Cranbrook Windows & Doors and were very happy with the end result.
- **Re-approve Rules as circulated**  
Moved/Seconded/Carried
- **Re-approve Fines and Penalties Guidelines as circulated**  
Moved/Seconded/Carried
- **Spring loaded door hinges:** To be done in the next weeks.

#### **Election of Strata Council:**

##### **Term: AGM to AGM**

The following were nominated to stand for Council: Jim Mitchell, Gary McCarthy, Til Routley, Cheryl Plourde, Milana Hambalek, and Rhonda White. There being no further nominations all are elected by acclamation. Gary nominated Jim to be the new President-Joyce said OK and all welcomed Jim as the new President.

#### **Time and Place of Next AGM:**

To be determined

#### **Motion to adjourn at 11:20 AM**

Moved/Seconded/Carried

*\*PLEASE NOTE - You are reminded that if your fees are not up to date you may not vote and fines may be levied against your lot by the council. Please Contact Realty Executives Cranbrook if your fees are not up to date. Ph (250)426-3355 FAX (250)426-3683 or email: [sharronbilley@cranbrookagencies.com](mailto:sharronbilley@cranbrookagencies.com) or [jean@cranbrookagencies.com](mailto:jean@cranbrookagencies.com)*

**STRATA NES 46**  
**VICTORIA VILLA --RULES--**  
(Total number of pages – 5) Approved 2010 AGM

**GENERAL**

**Unit Management**

1. Unit owners may employ a property manager to manage their units as outlined in the Strata Act. If a property manager is not employed, the owner is assumed to be the property manager
2. Any fines incurred by unit tenants or unit guests, will be sent to the owners.
3. Unit owners are responsible for fines and damages incurred by tenants and guests in their units. It is the owner's responsibility to recover losses from their tenants. It is recommended unit owners include appropriate statements to this effect in their rental agreements.
4. Owners must provide **STRATA CORPORATION NES 46** with up-to-date information including:
  - a. The owners contact information including phone number and address providing a current email address is encouraged.
  - b. The property manager's contact information including phone number(s) and address is encouraged.
5. The property manager will be contacted for minor and major emergencies. Phone numbers should be supplied providing 24/7 contact information, and property managers are expected to respond promptly to emergency situations. Unit owners are responsible for any costs incurred as a result of a delayed response.
6. Unit owners can avoid some potential emergency costs by providing the Strata Management Company with up-to-date keys for their units.
7. Property managers or unit owners are to provide the **STRATA MANAGEMENT Company** with up-to-date information on unit occupants including:
  - a. Make, Colour and License plate numbers of occupant's vehicles
  - b. Names of unit occupants - **MAXIMUM** four occupants per unit including children
  - c. Telephone numbers of unit occupants

**COMMON AREA**

**Parking Lot and Vehicles:**

1. Each unit is assigned one (1) parking spot. Unit occupants must be parked in the spot assigned to their unit.
2. Unit occupants **MAY NOT** park in visitors parking
3. Visitors are to park in **VISITORS PARKING ONLY**. Extended stays over **7 days** in visitor parking is not permitted.
4. Speed limit is **10 km** in the parking lot.
5. Vehicles parked on strata property must be **currently licensed and driveable**.
6. **NO** repairing or servicing of vehicles is allowed in the parking lot or on any part of the complex. Vehicles leaking any fluids (oils, antifreeze, etc) are not permitted in the parking lot.
7. All unlicensed or un-drivable vehicles will be **tagged and towed** at the owner's expense after 48 hours.

**STRATA NES 46**  
**VICTORIA VILLA --RULES--**  
(Total number of pages – 5) Approved 2010 AGM

8. Unit owners are responsible for their tenants and tenant visitors to obey the **Rules** set out by STRATA CORPORATION NES 46
9. Unit owners are responsible for their tenants and tenant visitors obeying the **Bylaws** as per the Strata Act
10. Parking in the **FIRE LANES** is prohibited.
11. Violators of the Rules or Bylaws will face the following penalties:
  - a. Vehicles shall be towed at the unit owner's expense
  - b. Fines shall be levied on unit owners.
12. Strata NES 46 is not responsible for any damages, theft, or other losses incurred through use of the parking lot. Any security or safety enhancements provided by Strata NES 46 are done for the convenience of unit residents

**GROUNDS**

1. Littering is not permitted. This includes discarding used cigarettes and cigarette ashes, extinguishing cigarettes against the building or leaving refuse lying outside Strata dumpsters.
2. Window coverings must be specifically designed for that purpose, must be in good repair, and must not detract from the overall look of the complex. Blankets, cardboard, towels and other makeshift covers are not permitted.
3. All window screens must be in good repair.
4. No exterior features may be tampered with. Any modification of exterior features may result in fines in addition to charges to restore modifications to a condition deemed acceptable by the Strata Council.
  - a. **Exception** – windows and window frames may be replaced at the unit owners cost, with parts and by professional installers, approved by the Strata Council. Written approval for the parts and installer must be obtained from the Strata Council in advance.
5. No devices are to be attached to the exterior of the building. Common examples of such items are satellite dishes and antennas.
6. Air conditioners must be aesthetically pleasing.

**SAFETY**

**Fire**

1. No items are to be stored inside or on common areas. This includes bicycles, boxes, toys, shoes or other items left in hallways, entrances, on the lawn, or in other common areas:
  - a. **Bicycles must be stored in the outside bicycle racks or inside your unit.**
2. No combustible goods are to be stored on the premises.
3. Smoke detectors must be functioning correctly. Smoke detectors not working are to be reported to the Strata Management Company immediately. The Strata Management company will contact owners.
4. Fire extinguishers are to remain in assigned areas of each unit and be fully operational at all times. The Strata Management Company must be notified of missing or discharged extinguishers. The Strata Management Company will notify owners.
5. No barbeques, or portable fire pits, are allowed on the premises.

**STRATA NES 46**  
**VICTORIA VILLA --RULES--**  
(Total number of pages – 5) Approved 2010 AGM

**Security**

1. Unit occupants should only let their own visitors into common areas. Allowing access to unknown individuals is not permitted.
2. Windows are not to be used by anyone for entering or leaving a unit. They are also not to be used for moving furniture, etc in or out.
3. Common doors must be kept closed at all times. Blocking a door open creates a security risk.
4. Lost keys to common areas (ie: outside doors) must be reported to the Strata Management Company immediately. Failure to report lost keys may present a security risk and will be dealt with accordingly.
5. Replacement keys to common areas must not be duplicated, nor must common locks be tampered with. The Strata Management Company will provide replacement keys and re-key locks where necessary at owners expense.
6. **No illegal substances, or activities**, are permitted on Strata property. In addition to Strata imposed penalties, anyone **suspected** of criminal activity **will be** reported to the RCMP.
  - a. In case of a noise complaint or suspected criminal activity, contact the RCMP and then inform the Strata Management Company.
7. Incident Report forms are available from the Strata Management Company to report offences. Please obtain and use these forms to help your Strata Council and Strata Management Company maintain a safe and secure living environment.
  - a. Names are kept confidential as requested. An exception is if the report becomes part of a criminal investigation and the police need to speak with witnesses etc.
  - b. False reporting may result in Strata imposed penalties. Unit occupants are expected to clearly state the facts.
  - c. Incident report forms may form the basis for imposing fines and penalties, particularly when multiple witnesses, or reports, are in agreement.
8. Strata may employ a private security company to routinely check the complex. The reports from private security personnel may also form the basis for fines and penalties imposed by the Strata Council.
9. Strata will also employ cleaners and other contractors at various times. It is expected that these contractors will be treated respectfully in the performance of their duties. Problems with contractors should be forwarded to the Strata Council. Impeding a contractor in the performance of their job may result in Strata imposed fines or penalties.
  - a. Examples – preventing the annual Fire Inspection from being conducted in a timely manner.
  - b. Preventing cleaning the common area by leaving debris in common hallways.

**PETS**

1. All pets must be approved of in writing by the Strata Management Company. Guidelines and pet application forms are available from the Strata Management Company.
2. No pets or animals are allowed to run loose on the common areas. All pets **MUST** be kept leashed and under control at all times. **This includes cats.**
3. Pets are not permitted to defecate/urinate on Strata property. All pet messes must be cleaned up immediately.

**STRATA NES 46**  
**VICTORIA VILLA –RULES–**  
(Total number of pages – 5) Approved 2010 AGM

4. All animals and pets running at large will be reported to the Cranbrook Animal Control Officer and be impounded.

**GARBAGE**

1. Garbage **may not** be left in hallways and other common areas. All household garbage must be placed in plastic bags, tightly secured and placed in the appropriate garbage dumpster.
  - a. If one dumpster is full, unit occupants may put their garbage in the other dumpster at the other end of the parking lot
  - b. If strata garbage dumpsters are both full, unit occupants will have to deliver their garbage to the landfill site on their own, or meet the garbage truck with their garbage on pickup day for removal.
  - c. All cardboard boxes must be flattened prior to putting in the garbage dumpster.
2. **No furniture or construction waste of any kind is to be left in, or by** either dumpster. Unit occupants and owners need to take such materials directly to the District Landfill Site.

**NOISE**

1. No unnecessary or excessive noise or disturbances are tolerated at any time. All radios, TVs, Stereos are to be at modest sound levels. The sound of noise, music etc, should not be heard outside your unit. This Rule also applies to the motor vehicles of occupants or guests. If you have animals in your unit this Rule also applies to them. Under the municipal bylaw, offenders may be fined up to \$2,000.00. Strata may apply other fines or penalties.
2. No loud parties will be permitted at any time! Under Municipal bylaw #2612 offenders will be fined up to \$100.00. This bylaw is in effect 24 hours a day. Strata may apply other fines or penalties.
3. Noisy construction (use of power tools, hammers, etc ) may only occur from 9 am to 7 pm. Occupants of neighbouring units must be given written notice at least **3 days** in advance, of construction projects.
  - a. Exception - emergency repairs may be completed as required to prevent damage to Strata property ( ie plumbing breaks )
  - b. Exception – emergency repairs may be completed to ensure the safety and security of unit occupants ( ie repair a broken entry door )

**CHILDREN**

1. All minors on strata property are the responsibility of their parent or guardian at all times.
2. Minors are expected to obey all Strata Rules including those governing noise and behaviour.
3. Playing or loitering in the stairwells, doorways or hallways is not permitted.
4. Fines and penalties resulting from the actions of minors will be applied to the respective unit owner where the minors reside or are visiting.

**INSURANCE COVERAGE AND STRATA FEES**

1. Under no circumstance is Strata NES 46 responsible for loss of Owners or tenants belongings

**STRATA NES 46**  
**VICTORIA VILLA –RULES–**  
(Total number of pages – 5) Approved 2010 AGM

- a. Tenants and owners are advised to carry individual apartment insurance for their belongings or improvements
2. Payment of strata fees must be paid on, or before the 6<sup>th</sup> day of the month they are due. Fees may also be paid in advance, in a lump sum, or by post dated cheques. Owners failing to pay on time will be subject to late fees as per the Fine and Penalty Guidelines set out by Strata NES 46.

**FINES AND PENALTIES**

1. Fines and penalties for individuals contravening strata rules will be applied to unit owners. It is up to unit owners to recover costs from their tenants and tenant's visitors.
2. The level of the fine will be determined by the Strata Council. A guideline for fines and offenses will be provided by the Strata Council
3. Fines must be paid promptly by the unit owner to the Strata. Fines must be paid even if the owner wishes to dispute them.
4. Unit owners may appeal/dispute a fine within three weeks of receiving it. Appeals must be sent in writing to the Strata Council President and should contain supporting evidence to warrant the withdrawal and refund of the Fine and or Penalty.

**Violations of Rules or Bylaws will result in fines and/or penalties as deemed appropriate by Strata Council NES 46. Thank you for your co-operation and we trust you will enjoy your home at VICTORIA VILLA, STRATA NES 46**

**Strata Management Company:      Realty Executives Cranbrook 250-426-3355**  
**911 Baker Street, Cranbrook, BC V1C 1A4**  
**Strata Manager:                      Sharron Billey 250-426-3355 - Emergency only: 250-489-9242**

**VICTORIA VILLA - STRATA NES 46**  
**FINE AND PENALTY GUIDELINES**  
**Page 1 of 1**

Normal Fines and Penalties range from "Warnings" to \$100.00 per offender per infraction. A fine may be issued once each week for each infraction. Fines are cumulative. Fines may be accompanied by other related charges such as towing fees, waste removal charges, repair costs, interest charges, etc. At the discretion of the Strata Council, a warning may be issued for first offences.

**Minor infractions** will result in an initial fine of \$25.00. These are viewed as infractions that may inconvenience other strata occupants. Examples of these include:

- ✓ Leaving ashtrays or butts in common areas.
- ✓ Leaving toys, clothes, bikes etc unattended in common areas.
- ✓ Failure to provide the Strata Management Co. with up to date contact information.
- ✓ Using inappropriate window coverings
- ✓ Late strata fee payment

**Moderate infractions** will result in an initial fine of \$50.00. These are viewed as infractions that may substantially detract from a peaceful and livable environment. Examples of these include:

- Leaving minors unsupervised in common areas.
- Littering (also failure to clean up pet mess) in common areas.
- Dumping unapproved refuse in garbage bins. This includes renovation waste or furniture.
- Noisy behavior/loud profanity (i.e. yelling expletives across the parking lot).
- Parking violations (i.e. parking in someone else's spot).
- Making a false Incident Report
- Any repeated minor infractions by the same owners/occupants.

**Major infractions** will result in an initial fine of \$75.00. These include infractions that have the potential to be safety hazards. Examples of these include:

- Letting an unleashed pet(s) roam common areas.
- Drinking alcohol in common areas.
- Speeding or reckless driving in parking lot.
- Failure to securely close common doors.
- Entering and exiting units via windows.
- Copying (or losing) keys to strata common areas.

**Serious infractions** will result in an initial fine of \$100.00. These are infractions that have the potential to be very disruptive, violate existing municipal, civil, or federal laws, or may lead to dangerous situations. Examples of these include:

- Loud Parties – If your music and noise is audible outside of your unit, then you are too loud.
- Damaging strata property as a result of intentional effort or negligence.
- Transporting/possessing illegal substances on strata property
- Any repeated moderate or major infractions.