

**CYPRESS POINT ABC
STRATA PLAN NW2050**

Strata Council Meeting
Wednesday, March 25, 2009

1. **PRESENT:** Tom Hargraves Gordon Farrell
 Larry Makutra Carole Borthwick
 Joanne Parkinson Cheryl Jones
 Corinne Inglis

REGRETS: Steve Tosh

2. **CALL TO ORDER:** 7:14 PM

3. **ADOPTION OF MINUTES**

- a. February 25, 2009 - Approved

4. **COMMITTEE REPORTS**

- a. **Social** - An owner remains in hospice

- The tentative date for the spring garage sale is May 17th

b. **Grounds and Gardening**

1. Jo and Carole received two quotations for the development of the community garden. *Council decided that if owners wish to participate, they should be responsible for the costs.*
2. An owner is requesting permission to change his private yard to a Japanese garden by removing all of the grass, (which does not grow well due to the deep shade) and to install a weed barrier along with 2" of river rock and pavers. *Council approved this request.*
3. Jo and Carole are investigating what planting plan is needed for the front of the Cypress sign and at the triangle area for the spring.

c. **Fire & Security**

1. Fire Plan and Fire Marshals - the proposed March 16 meeting did not proceed. A tentative date of April 22 is being considered.
2. Block Watch - No Report
3. Security - Watchdog provided a quotation for security cameras. Council has deferred the quote to 2010 or possibly the 2010 budget.

d. **Maintenance**

1. Two quotes for drain cleaning have been received. One is for \$2,025.00 and includes flushing out the lines and cleaning out all floor drains. (Pool needs to be included). The second quote is for \$1,613.20 plus taxes and does not include flushing out the lines.

Council approved using the first drain cleaning company and included the pool area to be cleaned a flushed and also to add the pool area drains for cleaning and flushing.

2. A quote has been received from Sterling Fence for the Strata Corporation storage area in the amount of \$1,984.50 or \$2,394.00 but does not include a lock on the door or lighting. *Council approved the drywall quote from Networx for \$2,572.50 which includes everything.*
3. Euroline will commence with the maintenance and repair of vinyl windows once they receive the handles they have on order. Notices will be sent to those owners who have reported problems with their windows.
4. We have asked a decking specialist to provide us with a few options on how to repair / maintain, replace the current roof top decking that is not performing well. *Council wants to consult CHOA to see if they have any solutions to decking problems that could be considered.*
5. Council has not finalized the values and requirements including drawings and inspections in order to proceed with the anticipated exterior maintenance. *Council has approved proceeding with plans for the North side of Building C plus the four balcony stacks identified in the RJC report as requiring immediate attention. The remaining chimney stacks that are not leaking and do not pose any risk will be deferred to a later date.*
6. The tile floors in the lobbies will be scrubbed and waxed shortly.

e. Shared Facilities

1. The Shared Facilities Committee met to discuss a proposal put forward by Cypress Point ABC. *Woodridge and Ashford reserved comment and Building D was not in attendance. We have not yet received a response.*
2. Pool tags have been ordered and are ready for pick up. *The new cost for tags is \$8.00 apiece.*
3. Some of the ceramic tile has fallen off of the pool sides and requires repair. Imperial Paddock has been called in to do the repair. The pool will open for the season on Friday, May 15th.
4. Remax advises that Ashford Place and Woodridge Estates are continuing to short pay us on their portion of the Cypress Shared Facility fees.
5. An owner has offered to donate two sofas to the Social room. *Jo will view the sofas.*

5. NEW BUSINESS

- a. Council obtained a new quote from Telus re the internet line. A 3 year contract is \$56.95 per month and a 5 year contract is \$51.95 per month. *Council approved a 5 year contract at \$51.95 per month.*
- b. We have received an insurance quote this year for \$40,248.00 which is substantially higher than last year. *Due to the flood and fire last year we have been declined by other companies in receiving competitive quotes.*
- c. We have been struggling to resolve pricing issues with our garbage company and the excessive rates they have been charging. *This issue has now been resolved.*
- d. The BC Government has introduced legislation to change the dispute resolution process between strata owners and corporations. This will allow small claims court, instead of the BC Supreme Court, to hear many strata property disputes.

The B.C. government introduced legislation to change the dispute resolution process between strata owners and corporations on Monday. "The amendments ... will streamline the dispute resolution process for strata property owners throughout British Columbia," Finance Minister Colin Hansen said in a written statement. Hansen said the most significant amendments include:

- Allowing small claims court, instead of B.C. Supreme Court, to hear many strata property disputes.
- Improved arbitration processes as an alternative to the courts for resolution of strata disputes.
- Amendments to help prevent disputes by increasing the availability of information and improving accountability for strata owners and purchasers.

- e. Alterations to a Strata lot can void strata insurance if the work has not been approved by the Strata Corporation and does not comply with the Bylaws.

SUNDAY, MARCH 22, 2009

Alteration to lot can void strata insurance

Dear Condo Smarts: We live on the upper part of Vancouver Island.

Our townhouse strata was informed by a new owner about a leak in their living room. The council inspected the home to discover that the previous owner back in January had removed the gas fireplace and installed a wood-burning stove and modified the existing windows. Water was clearly getting in around these areas.

We have hired a contractor who is returning the construction to the original, and we have instructed him to remove the wood-burning stove.

The new owner is furious because she intended to heat her unit with wood, not realizing she is already paying for gas heat as part of her strata fees.

Even the real-estate agent knew about the changes and didn't say anything.

When do owners have to seek written permission of council before they make changes to a strata lot?

— M.J., Campbell River

Dear M.J.: Both the Standard Bylaws and your Strata Bylaw Amendments likely have all the direction you need to enforce these bylaws.

If you look closely at the Standard Bylaws under "alterations to a strata lot," it says the owner needs written approval to alter a strata lot for the structure, the exterior, up to and including those parts of the strata lot that the strata corporation must insure under the act.

Here's the big surprise for all strata owners. Fixtures and assets are items that must be insured, and that would include the original gas fireplace, and the original carpets, flooring, plumbing and electrical, and cabinets.

It might seem silly for the strata to have to approve an owner replacing their carpets, but don't forget, if you upgrade or make betterments, the strata is no longer insuring those improvements.

When an owner makes alterations that are not approved — and in this case it would include the exterior of the building — the strata may do whatever is reasonably necessary to



Tony Gioventu

CONDO SMARTS

remedy the contravention.

This could mean restoring the damages to the original at the owners' cost.

The new owner needs to contact a lawyer once she is aware of the costs, and consider a claim against the previous owner and the agent, who did not advise the purchaser of the unapproved alterations.

There are also serious fire-safety concerns and health concerns, including ventilation, about this conversion.

Was the gas connection terminated properly? Were any permits obtained? Is the venting susceptible to fire and the correct rating for this use?

The owner and the strata corporation also need to contact the local building inspector. An order may be issued by the local office to remove the installation, or a set of conditions may be issued for the requirement of upgrades and a permit, if the strata agrees to the alteration.

Whenever a strata discovers such a significant risk, it also now has a material defect that it is obliged to disclose to its insurance provider.

I've seen similar alterations where gas lines have been spliced to add a gas stove to a kitchen without permits or any consideration for safety. This alteration could affect the status of your insurance or your costs.

If you are aware of the risk and do not disclose or remedy it, and there is a fire, your strata could be faced with little or no insurance coverage.

Tony Gioventu is executive director of the Condominium Home Owners' Association. E-mail him at tony@choa.bc.ca. The association's website is www.choa.bc.ca.

- f. A quote was obtained from another Property Management company for purposes of comparison. *Their quote for Financial Management was higher than we currently pay.*

6. OLD BUSINESS

7. CORRESPONDENCE

Incoming

- a. Letter received from an owner wanting to apply for one of the plots of land available in the community garden. *Approved.*
- b. Email received from an owner who has a few broken deck boards on her deck and would like them repaired. *Council does not currently have a solution to the decking problem.*

Outgoing

- a. Letter sent to an owner requesting a Certificate of Insurance for their tenant who has been providing professional training in the Exercise room.
- b. Second letter sent confirming that a Certificate of Insurance has not been received.
- c. Letter sent to Northwest Waste regarding rate changes.
- d. Letter sent to Northwest Waste regarding credit for services not provided.

8. FINANCIALS

Accounts Receivable.

- a. Accounts Receivable as of March 16, 2009 is \$328.54
- | | | |
|-----------------|------------|----------------------------|
| Parking | 1 suite(s) | |
| Move In/Out | 0 suite(s) | |
| Locker | 2 suite(s) | |
| Strata Fees | 4 suites | |
| Late Fees/Fines | 5 suites | |
| Other | 1 suites | Total 8 suites in arrears. |
- b. Woodridge January and February 2009 financials are overdue.
- c. Corrected December 2009 financials approved.
- d. Cypress S F Statement for January 2009 was issued.

9. OTHER BUSINESS

10. EMAIL VOTES

11. MEETING ADJOURNED: 8:40 PM

12. NEXT MEETING: April 29, 2009