

**MINUTES OF THE STRATA COUNCIL MEETING OF THE OWNERS, STRATA CORPORATION
LMS 4383, THE MONDRIAN, HELD ON MONDAY, AUGUST 18, 2003 WITHIN UNIT 2503 – 969
RICHARDS STREET, VANCOUVER, B.C.**

COUNCIL IN ATTENDANCE: Jack Wolman President
Ed Fontana Finance Officer
Dennis Kelli
Tracey Kulchyski
Bruno Foti

REGRETS: Stephen Elliott

PROPERTY MANAGER: Joan Bird ColyVan Pacific

The meeting was called to order at 5:30 p.m.

Resignation of Council Member

Prior to the commencement of the Council Meeting, it was announced that President, Gillian McKenzie has submitted her resignation from Council as her work load has increased in the past few months, she is unable to commit to staying on Council. At this time Council would like to express their thanks to Gillian for all of her time and efforts spent on Council and in dealing with many issues in the start-up of The Mondrian. Council wishes Gillian all the best in her future endeavours.

At this time Council Member, Ed Fontana nominated Council Member, Jack Wolman to take over the President position until the end of the fiscal year which is October 31st, 2003. Jack informed Council that he will give it some consideration and advise Council by e-mail of his decision within the next day or so. (As of the writing of these minutes, Council was informed that Jack accepted the nomination of assuming the position of President until the end of the fiscal year.)

ADMINISTRATOR'S REPORT

At this time Eddy provided Council with a visual presentation from his computer of the items stored in several rooms in the parkade such as the electrical rooms, mechanical rooms, storage rooms, etc. There are items still stored in these rooms which belong to Bosa of which they use to correct some of the in-suite deficiencies in Mondrian 2 and in the common areas. Following Eddy's presentation regarding the items stored, it was agreed that any chemical items should be moved into a room where they will not be considered a hazard and that items that are not hazardous can be stored in a room accessible to only Bosa and authorized personnel.

Both Randy and Eddy presented the Administration report, along with the monthly and weekly duties performed. The on-going issues were listed with some recommendations of which council will discuss. A list of completed tasks and events that have occurred over July and part of August.

Council thanked both Randy and Eddy for their report.

Remote Transmitters/Key Fobs - Reminder

A reminder to all residents to **PLEASE, DO NOT LEAVE YOUR GARAGE REMOTE OR YOUR KEY FOB** in your vehicle at anytime. If you have lost or have had your key fob or remote transmitter stolen, please report this to the Administrator @ 604-669-1879 immediately or report to the Property Manager at Colyvan Pacific @604-683-8399 ext.246. Please leave your name and phone number where you can be reached.

If you have not reported your Key Fob number or Garage Gate Remote number to Randy, please do so as soon as possible for security reasons.

APPROVAL OF JULY 17th, 2003 COUNCIL MEETING MINUTES

It was moved by Dennis Kelli, Seconded by Bruno Foti to approve the minutes dated July 17th, 2003.

CARRIED

Distribution of Council Meeting Minutes

Council discussed the distribution of Council Meeting minutes to all resident owners, non-resident owners and tenants. It was reported by Council that they have been experiencing some difficulty in accessing The Mondrian web-site and were unable to view the council meeting minutes. As a result, Colyvan has prepared a step by step instruction on how to access the Mondrian web-site. (see attached)

It was decided by Council that the council minutes for August, September, October and November 2003 will be delivered to all owners/tenants and mailed to non-resident owners.

FINANCIAL REPORT

Ed prepared a detailed monthly financial status report for the month of July (see attached) for your reference. Ed has requested Colyvan add additional expense and income categories for the next financial report. Ed will e-mail details to the accounting department with instructions on re-coding some of the expense items pertaining to security and building repairs and maintenance.

Arrears Report Update

Due to the lack of response from correspondence sent to those owners in arrears of their strata fee payments and outstanding monies owed for the previous years operating budget shortfall, it was decided by the Council to write to the owners in arrears and hand deliver a letter door to door to those units in arrears, informing them that if they did not pay the arrears their key fob access to the recreation facilities and other assets of the strata corporation will be de-activated until such time the arrears were paid or arrangements were made to pay the arrears.

As a result of this approach the strata has received payment from most of the owners in arrears with a few still outstanding. Unfortunately, it was necessary to de-activate some residents key fobs for a short period of time. The decision to aggressively pursue collection of the outstanding arrears was a Council decision and done in accordance with the Strata Property Act and in consultation with a lawyer prior to denying access to the common facilities ie; recreation facilities and elevator.

As of August 26, 2003, the arrears has been reduced from \$26,000.00 outstanding to \$9,000.00 outstanding, of the \$9,000.00 outstanding, \$2,600 is from fines, NSF charges, and lien charges against owners accounts.

Please be reminded that it is the Owners responsibility to provide the Strata Corporation with a completed Form K listing their tenants name, contact numbers and the owners non-resident address so they can receive correspondence, minutes, information pertaining to their strata lot on a regular basis. If you (non-resident owner) do not provide a current mailing address and a completed Form K, you will be subject to a fine of \$25.00 per month until such time the Form K has been received in Colyvan's office.

It is imperative that you please notify Lisa if you have changed your address and to contact Susan Marvel in our office if you have changed your banking information if you are on automatic withdrawl.

If you are recently a new owner in the Mondrian and you have not received your Welcome Package from Colyvan, please contact Lisa Kaisers in our office at ext.224.

If you have any questions regarding your strata fee payments or your account balance, please contact Susan Marvel in our office at ext.237.

Please be reminded that if you are planning on paying your strata fees by automatic debit, you must have your void cheque and signed Pre-authorized form into Colyvan's office no later than the 15th of the month to take affect

the following month. DO NOT LEAVE THIS FORM WITH THE ADMINISTRATOR IN THE MONDRIAN OFFICE AS MAIL IS NOT PICKED UP FROM THE MONDRIAN OFFICE ON A DAILY BASIS. PLEASE MAIL OR DROP OFF AT COLYVAN'S OFFICE. THANK YOU FOR YOUR ATTENTION IN THIS MATTER.

BUSINESS ARISING

Security/Block Watch Discussion

This matter is in progress.

Garage Gate - Reminder

Helpful hints to assist in preventing the gates from breaking down, Residents are requested to PLEASE DO NOT ATTEMPT TO OPEN THE GATE WHEN IT IS IN MID-STREAM. WHAT THIS MEANS IS, WHEN THE GATE IS COMING DOWN AFTER A VEHICLE HAS EXITED OR ENTERED THE BUILDING, WAIT FOR THE GATE TO CLOSE COMPLETELY BEFORE ATTEMPTING TO OPEN THE GATE WHEN IT IS HALF OPEN OR HALF CLOSED. By following these instructions, it will help to prevent the gates from jamming.

Elevator Floor Replacement

The Property Manager will follow-up with the owner in Mondrian 1 who has offered to supply new tiles and have them replaced at no cost to the strata.

Elevator Notice Holders

Due to the excessive cost of secure notice holders, Council has tabled this matter for future consideration.

Elevator Inspection Update

A meeting was held on-site with representatives from Bosa, Vertech (Elevator Consultant), Thysson Elevator, Council Member, Jack Wolman and Property Manager, Joan Bird. Thysson Elevator is currently working on resolving the problems with the elevators in 969 Richards Street (Mondrian 2) and Mondrian 1 (989 Richards Street). There is approximately one year remaining on the warranty for Mondrian 2 elevator and unfortunately the warranty on Mondrian 1 elevators has expired. There have been no extra costs invoiced to the strata corporation for any of the repairs to date. Council is monitoring this situation with the elevators and will review with Thysson at the end of September for a follow-up report. Council requested that the Office Administrator keep a log book for elevator call outs and maintenance.

Security Reminder

All residents are reminded to **WAIT FOR THE GARAGE GATE TO CLOSE COMPLETELY BEHIND YOU AFTER ENTERING AND EXITING THE PARKADE.**

DO NOT ALLOW ANYONE TO FOLLOW YOU INTO THE PARKADE. INSIST THEY USE THEIR GARAGE REMOTE TO OPEN THE GATE.

DO NOT ALLOW ANYONE TO FOLLOW IN BEHIND YOU AT THE FRONT AND REAR ENTRANCE DOORS TO THE BUILDING. YOU HAVE EVERY RIGHT TO INSIST THEY USE THEIR KEY FOB TO ENTER THE BUILDING. DO NOT "BUZZ" ANYONE INTO THE BUILDING UNLESS YOU ARE EXPECTING A VISITOR OR A PERSONAL DELIVERY.

These are just some of the ways you can help to ensure that you are doing your part as a resident of The Mondrian when it come to security.

Residents are instructed to please call the Police immediately should you be "harassed" or threatened in anyway by residents when trying to assist with the security of the building.

Council would like to thank the residents who do wait for the gate to close completely after exiting and exiting the building. Council is considering implementing fines against those owners strata lot who do not wait for the gate to close or against those who allow others to tailgate you into the building by way of the front or rear entrances. A reminder that you are on "video" surveillance and your fob and remote is recorded each time you use it to access the building.

Security/Enterphone Lease

Council President, Jack Wolman reviewed the current lease agreement with Cobra Integrated Systems which is a 5 year lease for Mondrian 1 and Mondrian 2. The Council was looking into the possibility of terminating the lease and investigating options for a reduced term and cost of a lease with another company. Following a thorough investigation, Jack reported that unfortunately the Strata cannot terminate the lease without paying a costly penalty, therefore, the lease will be honored until it expires.

Council is investigating competitive quotes from other security companies for additional cameras and a digital video recording system.

Theft from M1 Lobby

A table and lamp were stolen from the lobby of Mondrian 1 recently. The Police were given a copy of the Video tape that recorded the thief.

Visitor Parking – Reminder

The use of the Visitor Parking stalls continues to be abused by residents of the Mondrian. All residents of the Mondrian are reminded to instruct your visitor to display in their vehicle what unit they are visiting along with a contact phone number. If your visitor's vehicle does not comply with Council's instructions, the vehicle may be towed at the vehicle owner's expense. If you are intending on visiting a resident at the Mondrian for more than 24 hours, you are requested to register your vehicle with the on-site Administrator. The maximum time for parking in the visitor parking is 7 days in a row. Please be considerate of other residents when using the visitor parking due to the minimal amount of parking spaces available. Your consideration and co-operation in this matter is appreciated. Council is investigating the possibility of installing meters in the Visitor Parking.

Parking in Fire Lanes

Residents are reminded that the Fire Lanes at the Rear of Mondrian 1 and 2 are patrolled on a regular basis by Buster's Towing and they have been given specific instructions to tow vehicles from areas that are posted indicating "**NO PARKING**". **YOU WILL BE TOWED WITHOUT WARNING!** These areas are not to be used for parking at anytime!

Vehicle Oil/Fluid Leaks Reminder

Residents are reminded to please, **DO NOT USE CARDBOARD AND/OR CARPET** to soak up any oil/fluid leaks in your parking stall. **This is a FIRE HAZARD.** There are proper Foil Trays you can purchase at Canadian Tire that can be used to collect oil/fluid leaks. Please be reminded that your parking stall is for your specific use and you/or your tenant are responsible to keep your parking stall clean at all times and are responsible to clean-up any oil or fluid stains in your stall. It is not the Janitors responsibility to clean your parking stall.

Storage/Parking Stalls - Reminder

Residents are reminded that no storage of items is allowed in your parking stall(s). Your parking stall is for parking your vehicle only. If your vehicle is being stored in your parking stall, you are required to provide the Strata Corporation with a copy of your Proof of Storage Insurance (which has property damage and public liability coverage). No derelict vehicles are allowed to be parked in the underground parkade.

Guest Suite Rental - Reminder

Owners who wish to rent the Guest Suite in Mondrian 1 and Mondrian 2 are requested to contact Irene in the Manager's Office at Mondrian 1 @604-669-1879. Please leave your name, suite number and phone number and the dates you wish to rent the Guest Suite. You will be required to provide a deposit when booking the Guest Suite. If you decide to cancel your reservation of the Guest Suite(s), please ensure you have provided at least 72 hours notice of cancellation so the next person on the list may be contacted in the event they wish to book the Guest Suite.

It has been reported by the Administrator that the guests of owners who rent the guest suite are not cleaning the suite after use.

Please be advised that the Strata will no longer be supplying towels and sheets for the Guest Suites due to residents who are not washing them after renting the Guest Suites. Owners/tenants who book the Guest Suites will now have to provide sheets, towels and pillow cases to their Guests when renting the Guest Suites.

All questions or concerns regarding this matter should be directed to the Property Manager at Colyvan's office.

Additional No Parking Signage

The City of Vancouver has confirmed that the Strata can install NO PARKING signs in the alley. Buster's has been instructed to install additional signage as per Council's request.

Draft Bylaws

Jack Wolman has volunteered to continue with formulating the proposed bylaws for Council's review. It is expected the first draft will be finalized by September 15th, 2003 for Council's review at the next scheduled council meeting.

Dryer Duct Cleaning

Colyvan is obtaining additional quotes for the duct cleaning for review at the next Council Meeting.

Interior Painting Quotes for M1

The Property Manager provided Council with 3 quotes for the painting of the Mondrian 1 hallways and elevator vestibules. Each contractor was instructed to break-down the quote to paint the 3rd and 4th floor hallways and the elevator vestibules only. Council discussed the quotes and it was decided that it was too early to consider painting all the hallways of Mondrian 1 as it is less than 3 years old and should not require a complete painting at this time and should be budgeted as a major improvement. It was decided that Council would approve minor repairs to the walls and painting of the 3rd and 4th floor hallways and 3 elevator vestibules and the repairing and painting of the areas around the elevator of the 2nd floor of Mondrian 2 wall. Dutch Maintenance will arrange for the repairs and painting of these areas at a cost not to exceed \$400.00.

Mechanical Equipment Deficiencies

The Property Manager arranged for an independent inspection of the mechanical equipment for Mondrian 1 and 2 by a qualified mechanical maintenance company. The mechanical equipment in Mondrian 2 is still under warranty and a list of deficiencies has been forwarded to Bosa for their review and action. Bosa has informed the Property Manager that they have contacted the original installer and they will be attending to some of the items listed and considered to be deficiencies. Items not considered to be deficiencies according to Bosa and the installer will be listed and forwarded to the Property Manager and Council.

Jack Wolman will be drafting a letter to Bosa requesting an on-site meeting to discuss the overheating of the parking garage which is a result of the Air Conditioning unit equipment supplying the Art Gallery.

Draulico Mechanical will be installing locks on the make-up air units, fans, and pumps as required. Eddy reported he has cleaned out the debris in the garage supply fans, however a number of the fans cannot be accessed due to a clash with the bike room storage fence. Council will follow-up with Bosa regarding this matter.

Insurance Premium Renewal

Council has requested the Property Manager investigate alternate quotes for the building's insurance. The current premium for the building's insurance is quite high and the deductible for water damage claims is \$10,000.00 per incident which in the opinion of Council is too excessive.

Proposed Operating Budget Discussion

Council Treasurer, Ed Fontana is in the process of preparing the proposed operating budget for the next fiscal year which is from November 1st, 2003 to October 31st, 2004. The Property Manager informed Council she is preparing a detailed list of all the contracts currently in place that provides services to operate the Mondrian. A list of monthly and annual costs will be included in this spreadsheet to assist the Council when budgeting for the next fiscal year. Council will be obtaining competitive quotes from other Management Companies for budget comparison. Currently the Council is not considering changing to another Management Company, however they will be discussing and reviewing the current management contract with Allan Landa, President of Colyvan Pacific.

Building Envelope Inspection – Mondrian 1

Council is in receipt of the Building Envelope Inspection which was solicited by Bosa as part of the warranty requirements. The report will be reviewed by Council and discussed with Bosa. Bosa is currently attending to items listed in the report which are considered to be deficiencies. The report includes a preventative maintenance schedule for the Strata Corporation to put in place and a budget to address the preventative maintenance items listed. It is the Strata's responsibility to address any preventative maintenance items which is a provision of the building's warranty requirements.

Mondrian Web-site Access

The Website technician has provided step by step instructions on how to access the Mondrian website. (Please see attached for your reference). Should you continue to have problems accessing the website, please contact Lisa Kaisers at Colyvan's office at 604-683-8301 ext.224 for assistance.

Mondrian Newsletter

Council Member, Stephen Elliott is currently developing a newsletter for The Mondrian residents.

Miscellaneous Storage in Service Rooms

Council reviewed pictures prepared by Eddy of items that have been left in the electrical, mechanical, and storage rooms in various areas of the parkade. Council instructed Eddy to remove and store the paint and all combustibles in a room that is considered to be safe and non-hazardous. It is necessary to keep some of the building supplies on-site in order for Bosa to continue completing any deficiencies to the common areas and owner's suites. The janitors will be cleaning the mechanical and electrical rooms.

Satellite/Internet Options

Council will be arranging for a meeting with Allan Landa, President of Colyvan Pacific to discuss a proposal for satellite/internet provider once he returns from vacation. This meeting will be held prior to the council meeting in September.

CORRESPONDENCE

The Property Manager reported she has received several complaints with regard to a resident who is occupying a suite in Mondrian 2. The nature of the complaints are a result of this resident and their visitors who continue to throw items off their balcony such as lit cigarette butts, fluids, etc. This particular resident has also been witnessed abusing the parking in the visitor parking area as well as at the rear of M2 area. The Council has reported these incidents to the Police. The Property Manager was requested to write to the unit owner advising of

them of the ongoing problems with the occupant of the suite and to instruct the owner to take the appropriate action in removing the occupant from the unit should they not comply with the Bylaws for the Strata Corporation.

NEW BUSINESS

Taxes re; Art Gallery

Jack Wolman informed Council that the owners of Mondrian 1 are paying Municipal taxes on the Art Gallery and that he has discussed this matter with B.C. Assessment and is sending a letter of appeal to them disputing the payment of taxes by owners of Mondrian 1. It is too late to appeal this years taxes and the only way to recover previous years tax payment is to challenge the City of Vancouver. In the meantime, Jack has volunteered to write a letter to the City of Vancouver along with a bill for reimbursement of maintenance of the parkade, gate repairs, security costs, and back-taxes.

Noise Complaints re; The Dufferin Hotel Patrons

The Council will be sending a letter to the City of Vancouver and Police requesting additional patrols of the alley area behind the Mondrian due to the excessive noise particularly after closing hours.

Natural Gas Prices

Council will be investigating alternate gas purchasing options as the existing gas price structure is extremely costly.

Preventative Maintenance Reminders

Owners/tenants are reminded, if you are planning on being away from your unit for any length of time ie; vacation (long term/short term), please turn off the water supply to your dishwashers, washing machine, bathroom sink, kitchen sink and toilet. These measures will help to prevent any unnecessary flooding in your unit should any appliance malfunction or your toilet tank breaks unexpectedly while you are away. This will also help to prevent unnecessary damage to your unit and insurance claims that may arise as a result of a flood.

Colyvan's Emergency On Call Procedures

In the event you have an emergency after regular business hours (8:30 a.m. to 5:00 p.m.), (please read the following as to what defines and Emergency) please follow the procedures as follows:

24-HOUR EMERGENCY SERVICES

PLEASE NOTE THAT THIS SERVICE IS FOR BUILDING EMERGENCIES ONLY: IT IS NOT FOR PERSONAL EMERGENCIES. Personal emergencies include lost building or suite access devices (i.e., keys, fobs, IRTs, garage remotes) access to relatives' apartments, inquires about account balances, "someone parked in my stall", neighbours are having a loud party, neighbours' security alarm is going off and similar situations. We are also unable to provide assistance on calls such as "I saw a strange person enter and/or vandalism to your automobiles or suites should be reported to the police department.

Please feel free to report floods, broken water lines, fires, fire alarms, stuck elevators, garage gates not working and other similar building/property issues requiring immediate attention.

The 24-hour answering service is not available for general inquires concerning accounts, council policies and other matters, which are regular administration items.

Clients using Telus Anonymous Call Blocking feature must deactivate this service (*87) to receive return calls from ColyVan Pacific Real Estate Management Services Ltd., after hours. Please note that we will take no action on any emergency unless we have talked first to the person placing the call. If you have placed an emergency call, please keep the phone line clear so that ColyVan Pacific Real Estate Management Services Ltd. can return your call promptly.

ADJOURNMENT

As there was no further business to discuss, the meeting was adjourned at 8:30 p.m.

NEXT MEETING

The next scheduled Council Meeting will be held September 29th, 2003 at 5:30 p.m. within unit #2503, 969 Richards Street, Vancouver.

ATTENTION

**Please keep these minutes on file as a permanent legal record of your Strata Corporation's business.
Replacement of either minutes or bylaws will be at the owner's expense and not the Strata Corporation's.**