

**MINUTES OF THE STRATA COUNCIL MEETING OF THE OWNERS, STRATA CORPORATION  
LMS 4383, THE MONDRIAN, HELD ON THURSDAY, APRIL 26th, 2004, WITHIN UNIT 2503 – 969  
RICHARDS STREET, VANCOUVER, B.C.**

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**COUNCIL IN ATTENDANCE:** Jack Wolman President  
Ross Allen Vice-President  
Ed Fontana Treasurer  
Dennis Kelli  
Craig Sinclair  
Tracey Kulchyski

**PROPERTY MANAGER:** Joan Bird Property Manager  
ColyVan Pacific Real Estate Management

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**CALL TO ORDER**

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

**GUESTS**

At this time, Council President, Jack Wolman introduced, Kevin Green, Property Manager from Crosby Property Management Ltd. Mr. Green acted as an observer only. An owner also attended the meeting as an observer only.

**ADMINISTRATOR'S REPORT**

Eddy Jalbert was not available as he was on vacation, however a written report was prepared by his staff and provided to Council.

**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. 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 the on-site Administrator, please do so as soon as possible for security reasons. The Mondrian Office phone number is 604-669-1879.

**APPROVAL OF APRIL 1<sup>ST</sup>, 2004 COUNCIL MEETING MINUTES**

It was **MOVED/SECONDED** (Kelli/Allen) to approve the Minutes dated April 1st, 2004.

**CARRIED**

## **Distribution of Council Meeting Minutes**

A reminder to all owners that in future, due to the high cost of photocopying and postage, Council Meeting Minutes will only be available by the following:

Owners with computers can view the Minutes on the Mondrian website. If you are having problems getting on the website, please contact Lisa Kaisers at ColyVan's Office at the number listed below.

Owners who do not have access to a computer and would like a copy of the Minutes can obtain a copy from the Mondrian office on the 3<sup>rd</sup> floor of 989 Richards Street.

Non-resident owners who do not have access to a computer may have their name put on a mailing list and a copy will be sent to you to each month. You must contact the Property Manager for a copy.

A copy of the Minutes will be posted each month in the mailrooms of both buildings. Residents are requested not to remove the Minutes.

If you have an e-mail address and would like a copy sent to you by e-mail, please provide Lisa Kaisers with your e-mail address. You can e-mail Lisa at [lkaisers@colyvanpacific.com](mailto:lkaisers@colyvanpacific.com). Please provide Lisa with any changes in your e-mail address or any changes in your mailing address and contact numbers where you can be reached in the event of an emergency. It is a requirement of the Strata Property Act and your Bylaws that you provide the Strata Corporation and the Management Company of any changes in the above so that we may contact you with any information regarding the Mondrian.

## **FINANCIAL REPORT**

Finance Officer, Ed Fontana prepared a detailed monthly financial status report for the month of March 2004 which was e-mailed to all Council Members for their perusal. (copy also attached with the Minutes)

## **Arrears Report Update**

The current total amount outstanding in arrears was \$26,000.00 covering a 30-90 days period.

**The Strata Council will now be implementing other methods for collecting the outstanding arrears owing. Owners who do not pay their Strata fees or special assessments will now have a lien placed on their Strata lot and will have their key fobs deleted from access to the elevators and from the use of the common facilities. You will also be assessed a late payment penalty for each month you are in arrears of your Strata fees and special assessment owing.**

Please be advised that the deadline to pay your Special Levy was January 30<sup>th</sup>, 2004. If you have not paid your Special Levy, you are requested to do so immediately. The Strata Council has instructed the Management Company to commence assessing late payment fines in the amount of \$50.00 per month for those owners who have not sent in their payment. In order to avoid a late payment penalty, you are encouraged to send in your payment as soon as possible.

**If you have provided the Management Company with post-dated cheques for your Strata fee payments, the onus is upon you (the owner) to make sure that you keep a record of when they run out. It is not up to the Management Company to send you a reminder that your cheques have run out.**

### **Form K – Tenants Undertaking Reminder**

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 and information pertaining to their Strata lot on a regular basis. If you are a non-resident owner and you 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 notify Lisa Kaisers if you have changed your address and to contact Susan Marvel in our Accounts Receivables office if you are on automatic withdrawal and have changed your banking information.

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.

### **Strata Fee Payment Procedures**

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 15<sup>th</sup> of the month to take effect 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.**

If you do not want to pay your Strata fees by automatic debit, it is requested you provide the Management Company with a series of Post-Dated Cheques.

You will avoid incurring late payment penalties on your account should you comply with the above request.

### **SECURITY COMMITTEE REPORT**

Ross Allen provided Council with a report on security issues and some suggestions to upgrade some of the common areas. Council will review and discuss these suggestions for consideration.

Council will be conducting an Audit of the Fob's and Garage Gate transmitters in the very near future.

Council discussed implementing fines to owners/residents who do not wait for the garage gate to close after exiting and entering the building. There was also a suggestion to install speed bumps on the ramps.

### **Security Reminder to all Residents as follows:**

It is important that all residents be vigilant in keeping the building as secure as possible. Do not allow anyone to follow you into the building. Insist they use their key fob to enter the building. It is your home and you have every right as an owner or tenant to question anyone who is attempting to enter the building without using their key fob. Do not allow anyone to "tailgate" you into the underground parkade.

Residents are requested to report any unsecured doors or suspicious persons "hanging" around the Mondrian immediately to the Mondrian office.

### **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. IF TOO MANY REMOTES ARE TRYING TO ACTIVATE THE GARAGE GATES, IT WILL CAUSE THE SYSTEM TO OVERRIDE THE READER AND CAUSE THE GATE TO MALFUNCTION. By following these instructions, it will help to prevent the gates from jamming and costly repairs.

PLEASE REFRAIN FROM ATTEMPTING TO "TAILGATE" ANOTHER VEHICLE INTO THE PARKING GARAGE AS THIS COULD RESULT IN THE GATE COMING DOWN ONTO YOUR VEHICLE SHOULD THE GATE MALFUNCTION. THE STRATA CORPORATION WILL NOT BE RESPONSIBLE FOR DAMAGE TO RESIDENTS VEHICLES SHOULD YOU NOT FOLLOW THESE RULES AND INSTRUCTIONS.

### **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. Your vehicle plate number and make of vehicle will be recorded and if you are an owner using the visitor parking to park your vehicle, it will be towed.

### **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 the on-site Administrator in the Manager's Office at Mondrian 1 @ 604-669-1879 or e-mail her at [mondrian@shaw.ca](mailto:mondrian@shaw.ca). 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.

### **Dryer Duct Cleaning for M1**

Quotes are currently being reviewed by Council and the contract will be awarded shortly.

### **M1/M2 Common Area Deficiencies Update**

The Council President is filing a claim with St. Paul's, the Warranty provider, for all outstanding common area deficiencies that have not been addressed by the Developer.

Ross Allen met with Mal MacAlpine, Customer Service representative for Bosa and reported that Bosa has agreed to abide by their letter and related Engineer's report of August 14<sup>th</sup>, 2003 with respect to the M1 building envelope repairs. The cost of the repairs was estimated by Transylvania Seal at \$5,500.00. Bosa has agreed to pay for approximately 60% of the cost with the strata paying for the remainder.

### **Building Envelope Inspection for M2**

The Property Manager provided Council with 2 quotes for the Building Envelope Inspection of M2. Council will review the quotes.

### **Rear Alley Lights Update**

The Property Manager reported that a settlement has been reached with both delivery companies who damaged the exterior light fixtures. The individual companies will be forwarding a cheque for their portion of the damage to replace the light fixtures.

### **Annual Fire Inspection for M1**

The Property Manager informed Council that the Annual Fire Inspection is due for the Mondrian 1 building. Arrangements will be made for the Annual Fire Inspection to be conducted in May.

### **Electrical Vault Cleaning for M1**

Council has awarded the contract to Houle Electric who will be conducting the electrical vault cleaning for Mondrian 1 building.

A date has now been confirmed by Houle Electric and B.C.Hydro for the vault cleaning. The vault cleaning will be done in two stages, the first one being on July 2<sup>nd</sup>, 2004 between the hours of 11:00 p.m. to 5:00 a.m. and the second conducted on July 9<sup>th</sup>, 2004 between the hours of 11:00 p.m. to 3:00 a.m. All residents will be required to shut off their computers, etc. during the inspection. Please note that the Emergency Generator will be in operation during the cleaning of the vault on both occasions.

Notices will be posted notifying all residents of the proper procedures during the vault cleaning.

### **Insurance Claims**

Owners are reminded that if you are deemed responsible for any damage to the common areas or other suites as a result of an insurance claim, you will be assessed the deductible portion of the claim or if the claim is under the deductible portion, you will be still be held responsible for the cost of repairs. Owners are encouraged to ensure that they have suitable private insurance coverage.

Please familiarize yourself with the Bylaw in place regarding Insurance Claims.

### **Booster Pump Repairs**

The Property Manager provided Council with another letter from the original contractor, National Hydronics in response to Council's request to have them undertake the proper repairs to the booster pumps. (please refer to the previous minutes of April 1<sup>st</sup> for additional information regarding this matter)

National Hydronics will replace the seals on the pump (which are not covered under warranty) at a cost of approximately \$1,200.00. Council will take this matter up with Bosa as part of the warranty claims re; deficiencies.

### **Visitor Parking Issues**

Council is considering installing a parking meter for the use of the visitor parking area. The Property Manager informed the Council that this matter would have to be voted on as a Special Resolution to all owners, as they would be changing the use of the common areas. All owners would be required to vote on this matter at a General Meeting.

### **Preventative Maintenance Reminders**

Owners/tenants are reminded that if you are planning on being away from your unit for any length of time (i.e.) vacation (long term/short term), please turn off the water supply to your condo unit (See owners manual for instructions). 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.

### **Insurance Claim re; Water Damage Deductible**

Currently there is an outstanding insurance deductible in the amount of \$10,000.00 that needs to be paid as a result of a plumbing defect with the bathtub stopper in an owner's unit. This insurance claim happened in 2003 in Mondrian 2 building. Due to two large insurance claims for water damage for the Mondrian, the insurance underwriters increased the deductible from \$2,500 to \$10,000 for the last insurance policy renewal. This claim has been paid out with the exception of the deductible portion remaining to be paid to the Restoration Company who performed the repairs in restoring the damage to four suites which were affected. The Property Manager forwarded a letter to Bosa requesting they pay the insurance deductible as the cause of the water damage was a result of a deficiency with the owner's bathtub plumbing and should have been covered under Bosa's Warranty. The Property Manager provided Bosa with all the information as requested pertaining to this matter. Bosa has responded to the Council by stating that they have referred this matter to their Warranty Division for their review. This matter will be discussed with Bosa along with the other outstanding warranty items that have not as yet been resolved. If necessary the Council is prepared to commence with Small Claims action to collect the amount owed.

This matter is still in progress as no further response has been received from Bosa as to what their intentions are in paying the deductible for the insurance claim.

### **Hose Bib Upgrades**

Due to a another insurance claim in the amount of approximately \$70,000.00 as a result of a burst exterior hose bib on the Penthouse 1 unit of M2 building, the insurance deductible for the Mondrian has now increase to \$10,000.00 per incident. The owners of the PH1 unit were held responsible for the deductible portion of the insurance claim as it was found that they left their garden hose connected to the hose bib during the extreme cold weather which caused the hose bib to burst once the hose bib began to thaw. Owners who currently have access to hose bibs on their unit, were given specific instructions in their homeowner's manual on how to maintain their hose bibs by Bosa. Owners were instructed to disconnect any garden hoses from their hose bibs during the cold/winter months and to follow the instructions provided for maintaining them.

The insurance company has informed the Strata Council that if they want the deductible on the insurance reduced, they must take appropriate measures to ensure that the hose bibs are upgraded or replaced with proper hose bibs that will prevent them from bursting in future. The Council has received a quote from a qualified plumber to upgrade the hose bibs to prevent them from bursting in future. The hose bibs will be upgraded in the very near future. It was **MOVED/SECONDED** (Allan/Wolman) to approve the quote from City Wide Plumbing to upgrade all Penthouse hose bibs for Mondrian 1 and 2 units.

**CARRIED**

### **Property Management Contract/Petition**

Recently some owners were presented with a petition to call a Special General Meeting of all the owners to discuss the termination or change in management companies. There were accusations made against the Strata Council with respect to inappropriate conduct by Council. The petition was given to the Council President's lawyer with the alleged accusations as to the Council's conduct in the management of the Mondrian. A letter has been forwarded to the 5 individual's who initiated the petition with the accusations in response to the petition. (please see attached letter from lawyer)

The strata council has since met with these individuals and a letter of retraction will be sent to the Council President and all owners of The Mondrian.

Effective May 30th 2004, Colyvan Pacific's Management contract with The Mondrian expires and will not be renewed. Efforts are being made to ensure a smooth and trouble free transition to the new Management Company. **Please see attached information regarding the new management company.**

### **Operating Procedures Information**

Council Members, Jack Wolman, Ross Allen, will be preparing a list of standard operating procedures to assist with the Move-In and Outs, Rental of Guest Suites, Use of Recreation Facilities, Towing of Vehicles, and Mail Box Key Replacement (which is the owner's responsibility).

### **Mondrian Website**

Ross Allan has volunteered to work on the website with another volunteer owner.

### **Resignation of Council Members**

Council Member, Tracey Kulchyski submitted her resignation from Council due to heavy work commitments. Council member Bruno Foti had submitted his resignation in March 2004. If anyone is interested in volunteering for Council there are two positions open.

### **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 an 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. These 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 7:00 p.m.

**NEXT MEETING**

The next scheduled Council Meeting is May 25th, 2004 to be held in unit #2503 M2 at 5:30 p.m.

***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.