

**MINUTES  
OF THE ANNUAL GENERAL MEETING  
THE OWNERS STRATA PLAN LMS 4383  
THE MONDRIAN**

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Held on Tuesday, January 10, 2006 at 7:00 pm  
Within The Columbia Room, Holiday Inn Hotel & Suites  
1110 Howe Street, Vancouver, BC

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The meeting was called to order by the Strata Council President and Chair of the Annual General Meeting, Mr. Ross Allen at 7:02 pm.

Mr. Allen then welcomed all of the owners present, introduced all of the Strata Council members present and further introduced the Senior Property Manager, representing Crosby Property Management Ltd., Mr. Kevin D. Green.

Mr. Green further welcomed the ownership, provided detailed information regarding the ballots which had been distributed during the registration process and some additional Annual General Meeting procedures.

At the end of this process, the President and Chair of the meeting, Mr. Ross Allen, proceeded with the regular business at hand.

**CALLING THE ROLL AND CERTIFICATION OF PROXIES**

The attendance register confirmed at the time of commencement of the meeting there were 42 eligible voters in attendance and 20 represented by proxy for a total of 62. The quorum requirements had been achieved, and the meeting proceeded.

**PROOF OF NOTICE & RECEIPT OF FINANCIAL STATEMENTS**

It was moved/seconded that the notice dated December 21, 2005 complied with the notice requirements and that the financial statements had been received.

There being no discussion, question was called and the Chair then declared the MOTION CARRIED, with the result being 61 IN FAVOUR, 1 OPPOSED, 0 ABSTAINED.

**APPROVAL OF GENERAL MEETING MINUTES**

It was moved/seconded to approve the Minutes of the Annual General Meeting held December 2, 2004 as previously circulated.

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There being no discussion, question was called and the Chair then declared the MOTION CARRIED with the result being 62 IN FAVOUR, 0 OPPOSED, 0 ABSTAINED.

**PRESIDENT'S REPORT**

Mr. Ross Allen, the Strata Council President, then addressed the ownership and provided a detailed verbal report. Owners are advised that Mr. Allen's report has been summarized and is included with the Annual General Meeting Minutes.

**REPORT ON INSURANCE COVERAGE**

It was then moved/seconded that the report on insurance coverage had been duly received.

There being no discussion, question was called and the Chair then declared the MOTION CARRIED with the result being 59 IN FAVOUR, 2 OPPOSED, 1 ABSTAINED.

**APPROVAL OF PROPOSED OPERATING BUDGET**

After a brief review regarding Agenda procedures, it was moved/seconded to approve the proposed operating budget(s) as presented.

The President, Mr. Ross Allen, then addressed the Strata Council, along with the Treasurer, Mr. David Rowan, and provided detailed information to the ownership regarding the operating budget which contained no increase in the monthly strata fees.

As there was no discussion, question was called and the Chair then declared the MOTION CARRIED, with the result being 62 IN FAVOUR, 0 OPPOSED, 0 ABSTAINED. CARRIED.

**PLEASE SEND (12) TWELVE POST-DATED CHEQUES PAYABLE TO STRATA PLAN LMS 4383.**

**If you have any questions regarding your account, please contact Joan Ladera in our accounting department at 604-689-6951.**

**CONSIDERATION OF RESOLUTION "A" 3/4 VOTE**

After a brief review regarding Agenda procedures, it was then moved/seconded to adopt Resolution "A" 3/4 vote, Move In Fee as follows:

**Be it resolved** that the owners of Strata Corporation LMS 4383, The Mondrian, do hereby amend the Bylaws of the Strata Corporation and repeal Bylaw 40.6:

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**40. Moving In/Out Procedures**

- 40.6 The Strata Owner must pay a non-refundable move-in fee of \$50.00 for Sun-Thur Moves) and \$100.00 (for Fri-Sat moves). The unit owner must provide security coverage during the move-in/out. Any damage to the common areas resulting from a move-in/out will be charged to the unit owner.

**and replace it with the following:**

The strata lot owner must pay a non-refundable change in occupancy fee of \$300.00 for any and all changes in occupancy of any type. The strata lot owner must provide security coverage during the change in occupancy. Any additional damage to common areas resulting from the change in occupancy will be charged to the unit owner.

The President then provided the ownership with a detailed explanation regarding Resolution "A".

Discussion

The floor was opened up for discussion and several owners then commented that possibly the move in/move out fee was too high, it may promote midnight moves, differences between furnished suites and townhouse units and other items with respect to the Resolution.

There being no further discussion, question was called and the Chair then declared the MOTION DEFEATED with result being 30 IN FAVOUR, 18 OPPOSED, 14 ABSTAINED.

**CONSIDERATION OF RESOLUTION "B" 3/4 VOTE**

After a brief review regarding Agenda procedures, it was then moved/seconded to adopt Resolution "B" 3/4 vote, Security Improvements as follows:

**Be it resolved** that the owners of Strata Corporation LMS 4383, The Mondrian, be authorized to expend a sum of money not exceeding \$5,000.00 for the purpose of security equipment upgrades at the rear foyer and entrance area of 969 Richards Street. This expenditure will be funded by a special levy assessed to the owners in proportion to the unit entitlement of their respective Strata Lots (Schedule attached).

This special levy is due and payable in full immediately upon passage of this Resolution by the owners of record on the date of passage.

Pursuant to Sections 108.5 and 108.6 of the *Strata Property Act*, if any owner is entitled to receive a refund of over \$100.00 from any unused portion of this special levy, a refund will be issued to the current owner(s) at the time of the refund. In the event of a sale, strata lot owners are responsible to make their own private arrangements with the purchaser with regards to the disposition of any refund.

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Any special levy outstanding after March 1, 2006 shall be assessed a fine of \$100.00 and a subsequent fine on the first of each month following until paid in full.

The Strata Corporation may, under Section 116 (1) of the Strata Property Act, register a Certificate of Lien against the owner's strata lot for any unpaid special levy.

The President then provided the ownership with detailed information regarding Resolution "B", Security Improvements.

Discussion

As there was no discussion, question was called and the Chair then declared the MOTION CARRIED, with the result being 62 IN FAVOUR, 0 OPPOSED, 0 ABSTAINED.

**CONSIDERATION OF RESOLUTION "C" 3/4 VOTE**

After a brief review regarding Agenda procedures, it was moved/seconded to approve Resolution "C" 3/4 vote, Pet Bylaw as follows:

**Be it resolved** that the owners of Strata Corporation LMS 4383, The Mondrian, do hereby approve an amendment to the Bylaws of the Strata Corporation and repeal Bylaw 5.3 in its entirety:

**5. Pets and Animals**

- 5.3 An owner, tenant, occupant or visitor must not keep a pet on a strata lot other than one or more of the following:
- (a) A reasonable number of fish or other small aquarium animals, housed in a tank that does not exceed 10 gallons;
  - (b) A reasonable number of small caged mammals;
  - (c) Up to 2 caged birds;
  - (d) 2 dogs;
  - (e) Up to 2 cats.

**and replace it with the following:**

- 5.3 An owner, tenant, occupant or visitor must not keep a pet in or at a strata lot other than:
- (a) a reasonable number of fish or small aquarium animals housed in a tank that does not exceed 10 gallons;
  - (b) a reasonable number of caged mammals;
  - (c) up to one caged bird;

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(d) one other residential house pet.

The President then provided the ownership with additional detailed information regarding Resolution "C" 3/4 vote Pet Bylaw

Discussion

The floor was then opened up for discussion and several owners then queried the Strata Council on the grandfathering of current pets within the building, the pet registration process and the intention of the Strata Council.

There being no additional discussion, question was called and the Chair declared the MOTION CARRIED, with the result being 49 IN FAVOUR, 8 OPPOSED, 5 ABSTAINED.

**CONSIDERATION OF RESOLUTION "D" 3/4 VOTE**

After a brief review regarding Agenda procedures, it was moved/seconded to adopt Resolution "D" 3/4 vote, Small Claims Proceedings as follows:

**Be it resolved** that the owners of Strata Corporation LMS 4383, The Mondrian, do hereby add the following Bylaws to the Bylaws of the Strata Corporation:

**35. Small Claims Court Proceedings Authorization to Proceed**

35.2 At the discretion of the Strata Council, the Strata Corporation may proceed under the *Small Claims Act* without further authorization by the owners to recover from an owner or other person by an action in Small Claims Court for money owing to the Strata Corporation, including resulting damage, insurance deductibles, costs, fees, charges, penalties, legal costs or any other related or unrelated costs to remedy and/or repair the Strata Corporation's common property, limited common property or other owners' personal property or other areas of a strata lot resulting from any act, omission, negligence or carelessness by the owner, owner's visitors, occupants, guests, employees, agents or members of the owner's family, whether insurable or not.

The President again provided the ownership with a detailed explanation regarding Resolution "D", Small Claims Proceedings.

Discussion

There being no discussion, question was called and the Chair then declared the MOTION CARRIED, with the result being 56 IN FAVOUR, 5 OPPOSED, 1 ABSTAINED.

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**CONSIDERATION OF RESOLUTION "E" 3/4 VOTE**

After a brief review regarding Agenda procedures, it was moved/seconded to adopt Resolution "E" 3/4 vote, Mortgage Negotiation as follows:

Be it resolved that the Strata Corporation LMS 4383, The Mondrian, do hereby approve by way of a 3/4 vote, that the Strata Council has the full authority, in its entirety, at all times now and in the future, to negotiate, secure and/or obtain financial funding of any type as required to secure, negotiate, renew, obtain additional funding and/or any other mortgage funds as needed with respect to the three mortgages held on the three units owned by the Strata Corporation.

This approval shall extend in its entirety indefinitely in the future and on an ongoing basis for renewal, securing additional funds to no maximum and/or any other authority deemed necessary and/or required by the Strata Council.

Be it resolved that the Strata Corporation LMS 4383, The Mondrian, do hereby approve by way of a 3/4 vote, that the Strata Council has the full authority, in its entirety, at all times now and in the future, to negotiate, secure and/or obtain financial funding of any type as required to secure, negotiate, renew, obtain additional funding and/or any other mortgage funds as needed with respect to the three mortgages held on the three units owned by the Strata Corporation.

This approval shall extend in its entirety indefinitely in the future and on an ongoing basis for renewal, securing additional funds to no maximum and/or any other authority deemed necessary and/or required by the Strata Council.

This Resolution was then explained in detail to the ownership by the Strata Council President with help from the Property Manager.

**Discussion**

The floor was then opened up for discussion and several owners noted that a small amendment would be required with respect to unlimited funds in the Resolution and the power given to the Strata Council.

It was then agreed that a minor amendment to the Resolution would be made which would not materially affect the Resolution and it was moved/seconded to amend Resolution "E" 3/4 vote as follows:

Be it resolved that the Strata Corporation LMS 4383, The Mondrian, do hereby approve by way of a 3/4 vote, that the Strata Council has the full authority, in its entirety, at all times now and in the future, to negotiate, secure and/or obtain financial funding of any type as required to secure, negotiate, renew, obtain additional funding and/or any other mortgage funds as needed with respect to the three mortgages held on the three units owned by the Strata Corporation.

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This approval shall extend in its entirety indefinitely in the future and on an ongoing basis for renewal, securing additional funds to no maximum and/or any other authority deemed necessary and/or required by the Strata Council.

Be it resolved that the Strata Corporation LMS 4383, The Mondrian, do hereby approve by way of a 3/4 vote, that the Strata Council has the full authority, in its entirety, at all times now and in the future, to negotiate, secure and/or obtain financial funding of any type as required to secure, negotiate, renew, obtain additional funding and/or any other mortgage funds as needed with respect to the three mortgages held on the three units owned by the Strata Corporation.

This approval shall extend in its entirety indefinitely in the future and on an ongoing basis for renewal, securing additional funds to the maximum appraised value of the three units owned by the Strata Corporation and/or any other authority deemed necessary and/or required by the Strata Council.

There being no discussion, question was called on the amendment and the Chair then declared the MOTION CARRIED to amend the resolution, with the result being 60 IN FAVOUR, 2 OPPOSED and 0 ABSTAINED.

There being no additional discussion, question was then called on the amended motion as noted above and the Chair then declared the MOTION CARRIED, with the result being, 60 IN FAVOUR, 2 OPPOSED, 0 ABSTAINED.

**CONSIDERATION OF RESOLUTION "F" 3/4 VOTE**

After a brief review regarding Agenda procedures, it was then moved/seconded to adopt Resolution "F" 3/4 vote, Guest Suite Improvements as follows:

**Be it resolved** that the owners of Strata Corporation LMS 4383, The Mondrian, be authorized to expend a sum of money not exceeding \$10,000.00 for the purpose of improving the guest suite. This expenditure will be funded by a special levy assessed to the owners in proportion to the unit entitlement of their respective Strata Lots (Schedule attached).

This special levy is due and payable in full immediately upon passage of this Resolution by the owners of record on the date of passage.

Pursuant to Sections 108.5 and 108.6 of the *Strata Property Act*, if any owner is entitled to receive a refund of over \$100.00 from any unused portion of this special levy, a refund will be issued to the current owner(s) at the time of the refund. In the event of a sale, strata lot owners are responsible to make their own private arrangements with the purchaser with regards to the disposition of any refund.

Any special levy outstanding after March 1, 2006 shall be assessed a fine of \$100.00 and a subsequent fine on the first of each month following until paid in full.

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The Strata Corporation may, under Section 116 (1) of the Strata Property Act, register a Certificate of Lien against the owner's strata lot for any unpaid special levy.

The President again provided detailed information to the ownership regarding the proposed 3/4 vote Resolution for Guest Suite Improvements.

Discussion

The floor was then opened up for discussion and several owners queried the Strata Council with respect to what actual renovations would be done, the actual mortgage amount, whether the guest suite made money and future intended improvements.

There being no additional discussion required, question was called and the Chair then declared the MOTION CARRIED with the result being 42 IN FAVOUR, 7 OPPOSED, 13 ABSTAINED.

**CONSIDERATION OF RESOLUTION "G" 3/4 VOTE**

After a brief review regarding Agenda procedures, it was then moved/seconded to adopt Resolution "G" 3/4 vote, Purchase of Elliptical Machine as follows:

**Be it resolved** that the owners of Strata Corporation LMS 4383, The Mondrian, be authorized to expend a sum of money not exceeding \$10,000.00 for the purpose of purchasing an additional elliptical machine. This expenditure will be funded by a special levy assessed to the owners in proportion to the unit entitlement of their respective Strata Lots (Schedule attached).

This special levy is due and payable in full immediately upon passage of this Resolution by the owners of record on the date of passage.

Pursuant to Sections 108.5 and 108.6 of the *Strata Property Act*, if any owner is entitled to receive a refund of over \$100.00 from any unused portion of this special levy, a refund will be issued to the current owner(s) at the time of the refund. In the event of a sale, strata lot owners are responsible to make their own private arrangements with the purchaser with regards to the disposition of any refund.

Any special levy outstanding after March 1, 2006 shall be assessed a fine of \$100.00 and a subsequent fine on the first of each month following until paid in full.

The Strata Corporation may, under Section 116 (1) of the Strata Property Act, register a Certificate of Lien against the owner's strata lot for any unpaid special levy.

The President again provided detailed information to the ownership regarding the proposed purchase of an elliptical machine.

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Discussion

The floor was then opened up for discussion and an owner queried the Strata Council if they were obligated to purchase the equipment from a specific supplier and it was noted that any and all quotations could be sought and there was no obligation to purchase the equipment at any one place.

There being no additional discussion, question was called and the Chair then declared the MOTION CARRIED with the result being 48 IN FAVOUR, 7 OPPOSED, 7 ABSTAINED.

**GENERAL DISCUSSION**

A) Council Appreciation

An owner then noted that they valued and thanked the out-going Strata Council for their efforts and time put in over the past year. Other owners echoed these comments and the Property Manager also noted that he had enjoyed working with the Strata Council in the past and looked forward to working with the upcoming Strata Council in the next fiscal year.

B) Pet Concerns

Several owners addressed the Strata Council and noted that many residents were not cleaning up after their pets and were allowing them to urinate and defecate on the common property and surprisingly in the common area hallways.

The Property Manager noted that if the residents can be identified, this information would be valuable and appropriate letters and fines would be sent and applied immediately. This correspondence can be directed either to the Resident Manager and/or to the Property Manager in writing at any time and will be addressed immediately.

C) Balcony Washing

An owner reported that on-going concerns continue with respect to owners washing their external balconies and having water, dirt and debris cascade over them.

Residents are kindly asked to respect their fellow neighbours and attempt at all times to prevent the above from happening. One suggestion is to wash your external balcony when it is raining to alleviate this problem.

D) Garage Gate

It was then noted that the timer for the garage gate when entering and exiting the underground parking area was too long and the Council noted that this had been previously reported and would be actioned in the immediate future.

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E) Kitty Litter

A resident then advised that recently a large water ingress and sewer back up problem had occurred in their suite due to the fact that a resident had thrown kitty litter down the drain in the building.

Residents are advised that this cost the Strata Corporation approximately \$80,000.00 and fortunately the Strata Corporation's insurance did respond to this matter but a large deductible had still been paid. Residents are advised that this is unacceptable and such things as kitty litter, feminine products, plastic and other miscellaneous items should never be thrown down the toilets or any other drains within the building.

**ELECTION OF COUNCIL**

Prior to proceeding, a loud round of applause was then offered for the out-going Strata Council for a job well done.

The Council President, along with the Property Manager, then addressed the ownership and noted that pursuant to the bylaws of the Strata Corporation, all current Council members must resign and it was the obligation of the owners present to elect a new Strata Council which must consist of a minimum of three, maximum of seven members.

The roles, responsibilities of a Strata Council Member were then explained by the Property Manager, along with the nomination procedure.

After a brief review, the following persons were nominated to stand for Council:

Ross Allen	PH#2 - 989
David Rowan	#2404 - 969
Shelley Prince	#906 - 969
Dennis Kelli	#2002 - 989

There being no further nominations, it was then moved/seconded to close the nominations.

There being no discussion, question was called and the Chair then declared the MOTION CARRIED with the result being, 62 IN FAVOUR, 0 OPPOSED, 0 ABSTAINED.

The Property Manager then noted that the above noted Council nominations were declared elected to the Strata Council by acclamation.

Appropriate congratulations were then offered to the newly elected Strata Council Members.

There being no further business, it was then moved/seconded to adjourn the meeting at 8:31 pm, question was called and the Chair then declared the MOTION CARRIED and the meeting officially terminated.

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A brief meeting was then held with the newly elected Strata Council to discuss a few issues with respect to the Strata Corporation and to further elect the Strata Council officers.

The roles, responsibilities and duties, along with the available Strata Council Officer positions were then explained in detail by the Property Manager, along with the nomination procedure.

After a brief review, the following Strata Council Members were declared elected by acclamation to the enclosed officer positions:

Ross Allen	Council President
Shelley Prince	Vice President
David Rowan	Treasurer

A brief discussion then ensued with respect to the appropriate date for the next meeting of the Strata Council and after further review, it was moved/seconded to adjourn the meeting at 8:42 pm.

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Kevin D. Green  
Senior Property Manager  
CROSBY PROPERTY MANAGEMENT LTD.  
General Office # (604) 683-8900  
www.crosbypm.com

**Please keep a copy of these minutes for future reference. They will be required at the time of sale and a charge, as per the Strata Property Act, will be assessed for replacement copies.**