

**MINUTES  
OF THE COUNCIL MEETING  
THE OWNERS STRATA PLAN LMS 4383  
THE MONDRIAN**

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Held on Wednesday, March 4, 2009 at 5:45 p.m.  
Within 929 Richards Street, Vancouver, B.C.  
(Stephen's Place)

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<b>COUNCIL IN ATTENDANCE:</b>	Stephen Elliott	President
	Jacy Lee	Vice President
	David Rowan	Treasurer
	Craig Sinclair	Member at Large
	Susan Fellenz	Member at Large
	Garry Heiman	Member at Large
	Dennis Kelli	Member at Large
<b>SENIOR PROPERTY MANAGER:</b>	Marianna Pandy	Crosby Property Management Ltd.

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The meeting was called to order at 5:50pm by Stephen Elliott.

**ELECTION OF STRATA COUNCIL POSITIONS**

It was moved/seconded that the following positions will be held until the next Annual General Meeting;

Stephen Elliott	-	President
Jacy Lee	-	Vice President
David Rowan	-	Treasurer
Craig Sinclair	-	Member at Large
Susan Fellenz	-	Member at Large
Garry Heiman	-	Member at Large
Dennis Kelli	-	Member at Large

CARRIED.

**RESIDENT MANAGER'S REPORT**

Various maintenance items and tasks from the resident manager's report were reviewed and discussed between the Strata Council and the Property Manager. All of the items were found to be in order. The Strata Council reviewed and approved several items to be looked after as maintenance item repairs or further information needed as noted. Information will be sent back in writing to the resident manager.

**APPROVAL OF COUNCIL MEETING MINUTES**

It was moved/seconded to approve the Minutes of the Council Meeting held November 19, 2008 as circulated.  
CARRIED.

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**APPROVAL OF FINANCIAL STATEMENTS**

It was moved/seconded to approve the November/December 2008 and January 2009 financial statements.  
CARRIED.

**REPORT ON UNAPPROVED EXPENDITURES**

There are no unapproved expenditures to report. The Strata Property Act requires that all owners be notified as soon as possible of unanticipated expenditures.

**REPORT ON LITIGATION**

To the best of our knowledge there is no litigation to report. The Strata Property Act requires that all owners be notified as soon as possible of any legal action that the Strata Corporation is part of.

**BUSINESS ARISING FROM PREVIOUS MINUTES**

1. Review of Directives

The Strata Council reviewed the list of directives provided to the Property Manager and concluded that items have been completed satisfactorily. New items resulting from this meeting will be added and progress reviewed at the next Council meeting.

2. Weekend Emergencies Update from Senior Property Manager

The Strata Council was advised that incidents that were brought to the attention of the Property Manager by the resident manager have been reviewed with the on-call services provider and rectified. Any future problems will have to be provided in writing by the resident manager and will be discussed as needed. This will be reviewed at the next Council meeting.

3. Annual General Meeting Outcome (Bylaw Additions and Amendments)

**11 Repair and Maintenance of Property by the Strata Corporation**

11.2 The Strata Corporation must replace the supply hoses to/from the washing machine with stainless steel braided hoses. After the replacement of the supply hoses, a strata lot owner must maintain and repair the stainless steel braided hoses in their strata lot.

**23 Council to Inform Owners of Minutes**

23.1 The council must circulate, make available, or post for owners the minutes of all council meetings within 4 weeks of the meeting, whether or not the minutes have been approved.

Be and is hereby *deleted* and the following be and is hereby *substituted* therefore:

23.1 The council must **make available** the minutes of all council meetings within 4 weeks of the meeting, whether or not they have been approved.

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**40 Moving In / Out Procedures**

- 40.5 An owner, tenant, occupant or visitor must ensure that all common areas are left damage free, clean and all hallways and lobby areas vacuumed immediately upon completion of the move. The owner of the strata lot shall be held liable for any damage to the common property area as a result of the move.

Be and is hereby *deleted* and the following be and is hereby *substituted* therefore:

- 40.5 An owner, tenant, occupant or visitor must ensure that all common **areas used during the move** are left damage free, clean and all hallways and lobby areas vacuumed immediately upon completion of the move. The owner of the strata lot shall be held liable for any damage to the common property area as a result of the move.

**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.

Be and is hereby *deleted* and the following be and is hereby *substituted* therefore:

- 40.6 The Strata Owner must pay a non-refundable move-in fee of \$100.00 for all 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.

The Strata Council would like to remind all residents once again that the Strata Fees have increased and that there is a special levy due as of March 1<sup>st</sup>, 2009. For further information, (if you are unsure as to what your fees now are) please contact accounts receivable at [jladera@crosbyom.com](mailto:jladera@crosbyom.com) or (604)689-6951. Joan Ladera is the accounts receivable representative.

4. Security Upgrades

As the special resolution did not pass at the Annual General Meeting, there is a possibility of bringing this to a Special General Meeting or deferring until the next Annual General Meeting. The Strata Council will defer further discussions until the next Council meeting.

5. Leak Tracking List from the Resident Manager

It was moved/seconded to approve those repairs where it is confirmed by Rite Handyman reports or Marine Roofing that the water is emanating from common property. Several minor ceiling damages have been reported due to dryer vent condensation. It was further noted that many of the residents, (more specifically of those units where owners are renting their units out) do not follow the dryer vent maintenance. This then causes lint built-up within the ducting system and (as the lint clogs up the venting) the water builds up as a result.

Wherever it is reported and supported by pictures and reports by contractors and the resident manager that the above applies, the Strata Council may be charging back the cost to the owner of these particular units. These will be reviewed on a case by case basis as reported by residents and resident manager in every Council meeting.

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It was further moved/seconded to approve a quotation for several repairs by Rite Handyman.  
CARRIED.

6. Townhome In-suite Condensation Issue

The Strata Council viewed an ongoing investigation with respect to a townhome that has reported a build up of mould according to several investigation reports, the condensation is related to in-suite humidity due to lack of ventilation in certain areas of the unit. The Strata Council will make the final decision once the final review from water testing from the exterior has been done. The owner of the townhome has been kept apprised and previous advised by the Strata Council that, (should the problem not be emanating from common property) the costs for the investigation, testing or any other repairs done to date will be charged back to the Strata lot. The Owner has previously agreed to this arrangement. This will be reviewed further at the next Council meeting.

**REMINDER**

It is important for all owners and residents to perform regular dryer vent maintenance procedures to avoid the cost of repairing condensation damage to your unit or your neighbour's. Repairs for such damage to private or common area property will be charged back to owners if evidence is found of lack of care and maintenance. At a minimum, residents should perform the following maintenance procedures:

- Do not overload your dryer during a drying cycle
- Ensure that your vent booster fan is operational (it turns on automatically during the latter part of a dry cycle and remains on for about 5 minutes after the cycle has finished)
- Once per month, run a dry cycle for 30 minutes with the dryer empty to remove any condensation
- Ensure technicians have access to your unit (if required) during regularly scheduled vent cleaning services (these are scheduled twice per year)

If you have any questions or if staining appears on your or a neighbour's ceiling contact the resident manager immediately for assistance. Your resident manager can be reached by calling:

**604 669-1879**

7. Landscaping Upgrade

This project was not approved as a resolution at the Annual General Meeting therefore the recommended landscaping upgrades will not proceed.

8. Grass on Richard Street

The Strata Council requested that a follow up be placed with Paraspace Landscaping with respect to replacing their grass as they previously agreed under warranty at no cost to Strata. The Property Manager has followed up with this and has been advised that this will proceed in the spring.

9. Bemco Building Envelope Maintenance

As this was approved at the Annual General Meeting as a Special Levy, the work will commence later part of April or the first part of May 2009. Notices will be posted and the Property Manager will be assisting on as a special project.

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10. HVAC Air Unit – Allied Plumbing and Heating Repairs  
It is the Strata Council's understanding that the HVAC unit repairs have been completed by Allied Plumbing and Heating Ltd.

**CORRESPONDENCE**

The Strata Council was in receipt of correspondence with respect to the following:

- Dryer Vent Leaks
- Repairs to a ceiling as a result of water emanating from common Property Manager
- Move out fees
- 2010 Olympic rentals
- Noise Complaints
- Request to waive Special Levy late fine due to a financial hardship. The Strata Council reviewed and approved that this particular owner be waived the Special Levy late fine. The Strata Council noted that they request that the Special Levy be paid by no later than May 1, 2009, should the Special Levy remain unpaid, a late fine will be assessed to the unit as of May 1, 2009. A letter will be sent to the owner by the Property Manager on behalf of Council.
- Request to reverse a charge back of carpet cleaning on common property as a result of misbehaving tenants. The Strata Council reviewed once again and their position remains the same as previously. Charges will not be reversed on this Strata lot owner's account. The Owner will be informed in writing by the Property Manager on behalf of the Strata Council.
- It was moved/seconded that those owners that have been reported by the resident manager or other residents to be an infraction of rules and Bylaws to receive a warning letter as per section 135. After the warning, should the actions be repeated, a Bylaw fine will be applied to those owner's accounts. As per section 135, the owners that receive the correspondence diligently, may contact the Strata Council and request a hearing or respond to the Strata Council in writing to inform as to what steps they are taking to improve the situation.
- The Strata Council noted a large amount of security breaches. Again, security cameras noted and recorded that most of these breached are caused by tenants and the Strata Council again, reminds investor owners that they must hire a professional rental agent to ensure that the tenants abide by the rules and Bylaws and that they don't cause problems and further cost to the Strata Corporation. It takes the resident managerial staff and the Strata Council an extraordinary amount of time to spend on these infractions/repairs as a result of vandalism and damages by tenants and it is unacceptable. The Strata Council urges every owner to abide by the Bylaws.
- Repairs at Contemporary Art Gallery. A letter will be sent to them indicating that the Strata will look after the repairs on the exterior hose bib.

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- Complaints received from several residents are noted. The Property Manager and the President will ascertain the facts and report to Council at the next Council Meeting.

**NEW BUSINESS**

1. Salary Increase for Onsite Staff

It was moved/seconded to approve that a 2.5% increase be applied to the following effective March 1, 2009:

- Resident Manager
- Janitorial Staff

CARRIED.

2. Contemporary Art Gallery Hose Bib

The installation has been completed by Allied Mechanical and costs have been covered by the Strata Corporation as part of the easement agreement and lease agreement with Contemporary Art Gallery.

3. Building Maintenance

The following regular building maintenance items have been completed:

- Dryer vent cleaning
- Window washing

The items pending further review/quotes are:

- Power washing of the parkade and both courtyards

The Strata Council will await confirmation on the quotation from Rite Handyman and Milners. The Strata Council will make the final decision at the next Strata Council meeting.

4. Bemco Building Maintenance Upcoming Work

As previously noted, the work will commence the later part of April or the first part of May, 2009. Notices will be posted prior to the time.

5. Hose Replacement

As approved at the Annual General Meeting as a Bylaw change, the Strata Council will be reviewing quotations at the next Strata Council meeting. This will be discussed and decided upon at a later time. Owners will be advised of upcoming work prior to the arrangement being made.

6. Annual Fire Re-Inspection Report

The Strata Council was in receipt of the report from Fire Pro and noted that those items deemed as the responsibility of the Strata Corporation to repair and maintain will be approved and looked after. The approval will be sent by the Property Manager in writing to Fire Pro. If any in-suite access is needed, prior notice will be posted and delivered by the resident manager. The Strata Council noted that the second round of inspection approximately 10% of units did not provide access.

7. Sprinkler Heads

The Strata Council noted that there are several sprinkler heads missing and/or damaged. The resident manager will be advised to ensure that when the spring start-up of the system is done, that Harris Irrigation looks after the repairs.

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8. Dryer Vent Leaks-Council Procedure

It was moved/seconded to approve that if leaks occur and the reports lead to the fact that it may be a dryer vent leaking, the Strata Council requires that a camera scoping be performed along with pictures and a detailed report to be obtained by the investigating contractor. Furthermore, to the above, if it is noted that the condensation or leak is due to poor maintenance by the residents, the costs will be charged back by the Strata Corporation. CARRIED.

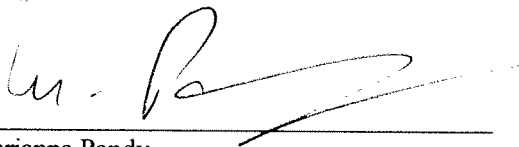
9. Move In Bylaw

The Strata Council noted that, as per the approved Bylaws from the Annual General Meeting, only a move in Bylaw applies at this time. Further changes to the move in Bylaws may be carried out at the next Annual General Meeting.

10. Rental of Guest Suites

The Strata Council requested that the Property Manager obtain a legal opinion on guest suite rentals and there is a particular case that the Strata is interested to find out. This will be discussed at the next Council meeting.

There being no further business, the meeting was adjourned at 7:46pm. The next meeting will be held on April 21, 2009 in Townhome #19 at 6:00pm.



Marianna Pandy  
Senior Property Manager  
CROSBY PROPERTY MANAGEMENT LTD.  
General Office # (604) 683-8900 (24 Hours)  
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.**