



Vancouver Island Strata Owners Association

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## VISOA Bulletin - FEBRUARY 2016

# Ghost Council Members

By Sandy Wagner

No – it isn't the Halloween edition of the Bulletin – I had never heard the term “ghost” council member until recently. It isn't a snowbird council member who is gone for 6 months of the year. A ghost council member is one who may or may not exist – depending on your interpretation of your bylaws.

Most stratas have retained the Standard Bylaws on council size and quorum, or have very similar bylaws of their own. Read Standard Bylaws 9,12,16, noting the *italicized* parts (italics mine) and then give some thought to the question below.

### Council size

9 (1) *Subject to subsection (2), the council must have at least 3 and not more than 7 members.*

(2) If the strata plan has fewer than 4 strata lots or the strata corporation has fewer than 4 owners, all the owners are on the council.

### Replacing council member

12 (1) If a council member resigns or is unwilling or unable to act for a period of 2 or more months, the remaining members of the council may appoint a replacement council member for the remainder of the term.

(2) A replacement council member may be appointed from any person eligible to sit on the council.

(3) *The council may appoint a council member under this section even if the absence of the member being replaced leaves the council without a quorum.*

(4) If all the members of the council resign or are unwilling or unable to act for a period of 2 or more months, persons holding at least 25% of the strata corporation's votes may hold a special general meeting to elect a new council by complying

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with the provisions of the Act, the regulations and the bylaws respecting the calling and holding of meetings.

### Quorum of council

16 (1) A quorum of the council is

- (a) 1, if the council consists of one member,
  - (b) 2, if the council consists of 2, 3 or 4 members,
  - (c) 3, if the council consists of 5 or 6 members,
- and
- (d) 4, if the council consists of 7 members.

(2) Council members must be present in person at the council meeting to be counted in establishing quorum.

### Now – here is the question:

The AGM elects 7 councilors, and partway through the year, three leave. Perhaps two resigned, and a third sells their unit. Are the remaining 4 councilors “the council”? Or is it still a council of 7, with three “missing” or “ghost” members?

### The reason for the question is this:

SB 12 says they can appoint replacements, “even if the absence of the member being replaced leaves

the council without a quorum.”

This is the only part of the Standard Bylaws that talks about conducting any business without a quorum.

SO if they are a 7-member council with only 4 members, but one misses a meeting, can they still lawfully conduct any other business of the strata corporation?

Think about it. If they are a 7-member council with only 4 members, the quorum is 4. But if one doesn’t come to a council meeting, I am willing to bet that almost all stratas will say that they are a council of 4, with a quorum of 2.

This is an ambiguity in the Standard Bylaws. I am sure that most stratas do not tinker with this part of the SB’s so this is probably in most strata bylaws.

Often, stratas have a hard time electing enough councilors so if they lose one or two they don’t think they can find a replacement, and just carry on. But is it legal?

In speaking to strata lawyers, we hear that this problem has cropped up several times just in the past year, specifically with very small “remainder”

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Imagine a 7-member council which has been reduced to 4, only two come to a council meeting, and those two decide to fire the strata manager! (assume their contract allows a unanimous vote at a council meeting to cancel). Or perhaps the two councillors will fire the well-loved gardener and hire an unknown replacement. Imagine if two owners had that much power...

### Let's work from some other angles.

1. Once a council is elected at an AGM, that is the number of members it has for the year.

SB 12 allows that the "remaining" council members may only appoint a new council member if a current member resigns or is unable to act.

If there were only 5 elected, then the currently elected members are not permitted to arbitrarily add two more members to the council to make a total of 7, regardless of the maximum number permitted in the bylaw.

2. If the owners decide to remove a council member SB 11 applies:

### Removing council member

11 (1) Unless all the owners are on the council, the strata corporation may, by a resolution passed by a majority vote at an annual or special general meeting, remove one or more council members.

(2) After removing a council member, the strata corporation must hold an election at the same annual or special general meeting to replace the council member for the remainder of the term.

This implies that, in the case of 5 originals, although one is removed, the owners can elect only one person as a replacement. They cannot decide -- "While we are at it!" -- to add two more to increase the original number elected at the AGM.

In both situations, therefore, the implication seems to be that the number elected annually is "fixed" with respect to what constitutes a maximum number for that year. Thus, a quorum would also be "fixed", and, in the earlier example, if 3 resigned, the number of council members remains at the elected 7 for that year, and the quorum remains "fixed" at 4 so business could not be conducted by only 3 people since that would be less than the quorum.

Note also, that if 4 people out of seven resigned, the implication is there would be less than a quorum left for a council consisting of 7 elected members! That being the case, the remaining 3, in accordance with SB12(3), would still be permitted to act *in this one instance* to appoint more council members to fill at least one vacancy (and preferably more) to enable council to conduct business.

The moral of the story is this: councils, fill your vacancies so you can conduct business legally!

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# Rentals to Family Members

By Shawn M. Smith, Barrister & Solicitor



With Christmas just behind us, what better time to talk about family. In fact, it might surprise you that we are able to do so within the

context of the *Strata Property Act* (SPA). But the SPA affords us the opportunity to do that with respect to rentals and some of the relatively unknown provisions that go along with renting to family.

Section 142(2) of the SPA allows an owner to rent a strata lot to a “family member” notwithstanding the fact that the strata corporation may have a bylaw which either limits or prohibits the rental of strata lots. However, that provision is not license to provide accommodation to siblings, cousins or even long lost relatives from the far reaches of

the globe. The concepts of “family” and “family member” are defined in Regulation 8.1 of the SPA which



provides as follows:

(1) For the purposes of section 142 of the Act, “**family**” and “**family member**” mean

- (a) a spouse of the owner,
- (b) a parent or child of the owner,
- or
- (c) a parent or child of the spouse of the owner.

(2) In subsection (1), “**spouse of the owner**” includes an individual who has lived with the owner, for a period of at least 2 years at the relevant time, in a marriage-like relationship.

As you can see, the range of people who qualify under the exemption is narrow and the relationships linear. For example, an owner cannot rent their strata lot to a sibling or even a grandchild

and be able to claim the exemption. In order to claim the exemption, an owner should be prepared to establish the nature of their relationship. One way of doing that would be for the strata corporation to require the owner to swear, under oath, a statutory declaration setting out the relationship of the tenant to them.

However, not all arrangements wherein someone resides in a strata lot amount to “renting” a strata lot. In other words, simply because the person living in the strata lot isn’t an owner, doesn’t make them a tenant. This issue was considered, at least in part, in *Strata Plan VR 2213 v. Duncan 2010 BCPC 123*. In that case the court had to determine whether or not persons staying in a strata lot for a short period of time (i.e. 2 weeks) were tenants. The strata corporation allowed owners to rent their strata lot. The owner in question rented his as short term furnished accommodation, which the strata corporation was fine with. However, it wanted the owner to file a Form K and pay a \$75 fee every time a new person occupied the unit. In considering whether the owner must do so, the court observed that the SPA recognized two categories of people (other than owners) who might live in a strata lot; tenants and occupants. It noted that just because a person occupied a strata lot and even paid to do so did not automatically make them a tenant. In order for there to be a tenancy, there must be the hallmarks of a tenancy; longer term, exclusive occupation, etc.

The decision in *Duncan* is not

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necessarily definitive when it comes to the issue of whether someone is renting a strata lot or not. One must also give consideration to what constitutes “rent”; being the terms used in ss.141 – 144 of SPA. For example, the *Residential Tenancy Act* defines “rent” as: “money paid or agreed to be paid, or value or a right given or agreed to be given, by or on behalf of a tenant to a landlord in return for the right to possess a rental unit, for the use of common areas and for services or facilities...”. Thus, if the person paid the strata fees in exchange for living there, they would be considered to be “renting”. However, if the strata corporation is not privy to the arrangements between the parties, it can be extremely difficult to determine whether a person is an occupant or a tenant. One way of resolving the tension is define, in the bylaw itself, when someone is deemed to be renting.

Given the exemptions set out in s.142(2) and (4), why then would one care about whether a strata lot is rented to a family member? The answer to that question is found in the often overlooked provisions of section 142(3) of the SPA which provides that:

“A rental of a strata lot to a family member under this section creates an assignment of the owner’s powers and duties under section 148”.

Section 148 in turn provides:

148 (1) In this section, “**long term lease**” means a lease to the same person for a set term of 3 years or more.

(2) If a residential strata lot is leased under a long term lease, the tenant is assigned the powers and duties of the landlord under this Act, the bylaws and the rules for the term of the lease.

(3) Before exercising any powers of the landlord, the tenant must have given to the strata corporation written notice of the assignment referred to in subsection (2), stating the name of the tenant and the time period during which the lease is effective.

(4) The strata corporation must give a copy of the notice referred to in subsection (3) to the landlord and to the owner.

(5) The assignment does not include an assignment of the land-

lord’s responsibility under section 131 for fines or the costs of remedying a contravention of the bylaws or rules.

(6) The tenant must not, without the owner’s consent, exercise any power or right of an owner

- (a) to acquire or dispose of land,
- (b) to cancel or amend the strata plan, or

(c) to do anything that would affect the owner’s interest in the strata lot, common property or land that is a common asset.

(7) The landlord must not deal with his or her interest in the strata lot, common property or land that is a common asset in a way that unreasonably interferes with the rights of the tenant under the lease or assignment.


In the context of a family member, the tenancy need not be 3 years or longer for the provisions of s.148

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to apply. S.142(3) clearly overrides that requirement.

The effect of renting a strata lot to a family member can be significant and quite unexpected. Unlike the assignment referred to in s.147 of the SPA, the assignment in this case is automatic. In other words, as soon as the owner rents the strata lot to their family member they lose a number of the rights associated with ownership, most notably the right to attend general meetings and vote. A parent who buys a strata lot to rent to their child while they attend university or a child who rents a strata lot to their aging parent can unwittingly find themselves in a situation where they no longer have full control over their investment and no say in the management of the strata corporation.

Although s.148(3) of the SPA requires the tenant to notify the strata corporation in writing that he or she intends to exercise the rights of the owner before doing so, the

owner's loss of their rights is not dependant on the tenant issuing such notice. The assignment is automatic and dependant only on the existence of the tenancy. In other words, if the tenant never exercises their rights under s.148 then conceivably no one can cast a vote on behalf of the strata lot.

Owners who rent to family members not only lose their powers in relation to the strata lot, but are also relieved (to some extent at least) of their obligations in relation to it as well. Given that the assignment is in relation both to the owner's powers and duties, the obligation to pay strata fees become the responsibility of the tenant. It is they who should be fined for the failure to pay; not the owner. (The owner, however, remains ultimately liable in the sense that it is their strata lot which would be sold to satisfy the arrears).

Family members who are renting a strata lot are also eligible to be elected to the strata council. S.28(1)

(c) of the SPA includes "tenants who, under section 147 or 148, have been assigned a landlord's right to stand for council" as part of the list of those persons who can be elected.

What does all this mean then for strata corporations? First of all, they must pay careful attention where a family member is living in a strata lot without the owner living there. They must


establish whether or not a tenancy exists. If one does, then a Form K must be submitted. Once that occurs the strata corporation must now start dealing with the tenant (except where the SPA specifically requires the strata corporation to continue dealing with the owner; such as when a fine is to be levied – s.135 SPA). The strata corporation must also ensure that the owner is not permitted to vote at a general meeting unless they have a proxy from the tenant (which proxy can only be issued once the tenant has given notice as per s.148(3) of their intention to exercise the powers of the owner). The tenant can vote only if they have given written notice of their intention to exercise the right to do so. Lastly, the strata corporation must note when the tenancy comes to an end and revert back to its normal practices.

A couple of final things to note: Where a strata lot is rented to a family member, the owner is still required under s.146 of the SPA to submit a Form K – Notice of Tenant's Responsibility. Section 142(4) provides that where a strata lot is rented to a family member it is not to be included in the count of strata lots allowed by the bylaws of the strata corporation.

This article is intended for information purposes only and should not be taken as the provision of legal advice.

*Shawn M. Smith is lawyer whose practice focuses on strata property law. He frequently writes and lectures for a variety of strata associations. He is a partner with the law firm of Cleveland Doan LLP and can be reached at (604)536-5002 or shawn@clevelanddoan.com.*

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# Strata Bullies - What To Do?

By Harvey Williams - Helpline Volunteer



Strata bullies may be less common than schoolyard bullies, but because they are present 24-7, they can make the daily lives of their

fellow owners miserable.

The Helpline receives several complaints about bullying every month and while most complaints are valid, bullying – like beauty – is often in the eye of the beholder. A strata council that refuses to allow two dogs when the bylaws allow only one dog is not bullying, it is doing what it was elected to do; it is complying with the *Strata Property Act* by enforcing the bylaws.

A council president who insists that council meetings follow reasonable parliamentary procedures is not a bully, they are protecting the rights of owners and assuring that council actions cannot be successfully challenged in court.

An owner who insists that council minutes and financial records be made available to owners is not bullying; they are exercising their rights under the *Strata Property Act*.

So what constitutes bullying? The Cambridge Online Dictionary defines a bully as a person **who hurts or frightens someone who is smaller or less powerful, often forcing them to do something that they do not want to do**. In the strata context it would be fair

to say that bullying is any action or speech aimed at getting one's way by making other owners feel uncomfortable.

Bullies come in all shapes and sizes - young, old, male, female. The following are some examples of bullying that have come to the



attention of the Helpline over the years:

- an owner interrupts, shouts down or insults other owners at strata meetings;
- a council president acts on behalf of council without council authorization then insults or intimidates council members who object;
- a council frequently meets *in camera*, censors its minutes and refuses to allow owners access to strata records as required under sections 35 and 36 of the *Strata Property Act*;
- an owner attends council meetings and interrupts the meeting with hostile questions and/comments; and
- an owner treats other owners rudely or in an overbearing manner.

A strata owner,

male or female, who by nature tends to be assertive may not realize that they are bullying or are being perceived as bullying. To avoid such a perception, follow the Golden Rule for strata owners, ***Speak to others only as you would have them speak to you.***

Bullying requires two people: a bully and a person to be bullied. Bullying in stratas will continue so long as some strata owners allow themselves to be bullied by other strata owners. The only way to stop bullying in stratas is to stand up to bullies and/or support fellow owners who do so.

*Harvey Williams is a Past President of VISOA, past Bulletin Editor, and long-time Helpline Volunteer. He was also one of VISOA's first Honorary Lifetime Members.*



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Have a question about managing your strata corporation? Ask us, we've had a lot of experience helping strata corporations solve problems - perhaps we can help you. Questions may be rephrased to conceal the identity of the questioner and to improve clarity when necessary. We do not provide legal advice, and our answers should not be construed as such. However, we may and often will advise you to seek legal advice.



David Grubb

## Bylaw Complaints – is the complainant notified?

**Q:**

When a bylaw complaint is received, our practice is to act on behalf of the complainant, give notice of the complaint to the accused and record such in the minutes of a council meeting, without identifying the persons or particulars of the complaint. Council then holds a hearing if requested, and notifies the accused of their decision. At the next council meeting, under Old Business, the outcome of the complaint is announced, without disclosing the nature of the violation or the identity of the transgressors. e.g. Violation of Bylaw: owners given 45 days to comply. We always endeavour to honour our privacy policy.

The SPA gives clear instructions as to the delivering of

a hearing decision to the persons who requested the hearing, but is silent on what is required with regard to the person bringing a complaint.



What responsibility does council have to separately notify the complainant of the decision reached at a hearing?

**A:**

Congratulations in your careful attention to the requirements of the SPA and PIPA.

There is no requirement under SPA s.135 to inform the complainant of the decision of council, and it should be sufficient for that decision to be recorded in the minutes of the council meeting as you indicate, since owners should pay attention to those minutes when they are published. Of course, the minutes of the *in camera* portion of the meeting to discuss the infraction and arrive at that decision must be retained in a confidential file in case of any legal challenges.

The reason that there is no need to inform the complainant is that it is not the complainant who has the responsibility of enforcing the bylaws: that is the duty of the council in the name of the strata corporation, regardless of how the council was made aware of the contravention (including identifying it themselves, in which case the courts have ruled that council cannot ignore the contravention while waiting for someone else to complain: they must take action in accordance with SPA s.26). Moreover, you will note that the SPA does not require that a complaint be submitted to council in writing, although that is a good policy.

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**February 28 - AGM  
Victoria, Comfort Inn**

**April 17 - Nanaimo  
Bowen Centre**

**May 24, Courtenay  
Crown Isle**

**June 26, Victoria  
Comfort Inn**

**September 18, Nanaimo  
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**November 15, Victoria  
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| <b>FICOM</b> – Financial Institutions Commission        | <b>REDMA</b> – Real Estate Development Marketing Act             |
| <b>HPO</b> – Homeowner Protection Office                | <b>RESA</b> – Real Estate Services Act                           |
| <b>HRT</b> – Human Rights Tribunal                      | <b>SPA</b> – Strata Property Act                                 |
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*Continued on page 11*

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—David Spangler

*These businesses have chosen to support our member strata corporations and owners by joining VISOA's growing group of Business Members. We encourage all our members to return the support we receive from the business group by including these businesses in their consideration for provision of services for their corporations.*

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The material in this publication is intended for informational purposes only and cannot replace consultation with qualified professionals. Legal advice or other expert assistance should be sought as appropriate.

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# What We Learn by Watching and Listening...

By Shannon Salter, CRT Chair



We know that many “access to justice” problems are caused by processes that are too difficult to understand and use. If we want to improve access to justice, we have to do things differently. Creating easy to use processes is a great place to start. But we can’t do it on our own.

We’ve talked with many different groups of people to help us anticipate and account for what the public needs. We’ve done our best to design the Solution Explorer to help those who:

1. Have a strata property or small claims problem;
2. Have little experience or knowledge of the justice system; and
3. Need helpful information provided in a clear and understandable way.

We’ve been working hard to create user-friendly processes. And so far, we’re excited about the results. However, the Solution Explorer is a work in progress;

it is not a complete, final product. There will be further changes and improvements over time, driven by feedback from people who use it.

The Solution Explorer, like other CRT processes, has to work for you, and your neighbour, and your cousin, and your cousin’s hairdresser. In other words, it has to work for the public. That’s why we’re testing these processes out with as many different people as we can – before they are done. We call it ‘user testing’.

We’ve already done some user testing for the Solution Explorer. We want to share some of the results with you.

A few weeks ago, we invited VISOA members and other people with certain strata problems to come into our offices in Vancouver and Victoria, where we sat with them, and watched and listened as they used the Solution Explorer beta version.

We wanted to know what people liked, what they didn’t like, where they got stuck or confused, and overall, what we could do to improve the Solution Explorer. We were happy to discover that all participants who used the Solution Explorer beta

*Continued on page 13*

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version found valuable information that gave them opportunities to resolve their strata issues.

Participants also generously gave us a lot of specific suggestions for improvement, and we are already busy incorporating this feedback. Here are just three of the interesting things we found out:

**1. Some features we thought would be helpful, weren't.** For example, we provided an access code that would let people resume their exploration if they were interrupted. Turns out, the access code confused people, and actually delayed their access to useful legal information and tools. We will be changing how and when this feature is used, but it's helpful for us to remember that often, simpler is better.

**2. Get to the point, fast.** People are coming to the Solution Explorer for help, and the longer it takes to get to the legal information and tools, the more frustrated they may become. We need to quickly get through preliminary information (terms of use, whether they are using private or public computer, and how to use the Solution Explorer) in order to minimize the time it takes for people to access the legal information and

tools they need.

**3. It's about the journey, not the destination.** Unexpectedly, people did not look for legal information in a linear way. Instead, they liked to move back and forth between pages, and look more closely at resources they had previously skipped. Anything that made it harder to do this caused irritation. We are using this insight to ensure people can navigate the Solution Explorer in a way that naturally helps them to find and absorb information.

The biggest lesson from our observational user testing is that it's dangerous to assume or speculate about what people want and need. When our team finds itself saying things like, "I don't think people will do X," we know that's a sign we need to stop, go back to the people we serve, and ask them directly. This is a novel approach to justice system design, but it's consistent with the principle of putting the public first.

Thank you to those who participated in this testing, and a special thanks to Blair Neufeld and Lisa Nakamura of the BC Ministry of Justice, and Fiona Zhou and Raquel Gofredo-Battad, CRT Tribunal Administrators, for organizing, conducting, and reporting on the testing.



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# How to Set Up Your Strata's Annual Budget Today

## 4 Steps Every Council Needs to Know

By Cindy Street



The annual budget is your strata corporation's financial guide for the upcoming fiscal year. Your budget:

- Ensures essentials, such as insurance and janitorial services, are funded.
- Sets aside healthy contingency savings.
- Speaks to the values of your community.

Led by your treasurer, you and your council should think

about the purpose or intention of your budget before the very first number is even entered onto a spreadsheet. Knowing where you are going and why you are going there will increase the likelihood of meeting your financial goals.

### Step 1: Preparation is Key

Determining budget numbers by studying historical financial statements is not enough. Past financial statements provide vital information regarding the cost of services but do not speak to the long-term goals of the community. Each year's budget affects the future of the community. Plan for the future, not just for next year.

Your community should keep a folder of ideas and inspirations that arise throughout the year. Approximately three months

prior to your annual general meeting, you should:

- Review your folder of ideas
- Review the community's current financial position
- Review the greater economy before deciding which projects to include in the budget

To draft a practical action-oriented budget, you and your colleagues on council should ask these five questions:

1. What are the values of our community? When planning for the future, always refer to your "reason for being" because it's too easy to get sidetracked.
2. What are our day-to-day operating requirements for services such as accounting, insurance and janitorial? Regular

*Continued on page 15*



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recurring expenses are the easiest part of the budget to craft. Just refer to past financial statements.

3. How much should we set aside in our contingency fund? What does our depreciation report suggest? Make saving for future capital expenditures non-negotiable.

4. Have we considered the state of the greater economy? No community operates in a vacuum. Be sensitive to the possible circumstances of owners in your community at budget time.

5. Are we being realistic? If the general cost of living has increased by 1%, your budget should, at a minimum, reflect the same.

## Step 2: Creating the Budget

Creating the budget is simple when you spend adequate time in preparation:

- Start by filling in essential line items such as gutter cleaning, common utilities and landscaping. The cost of these items may be based on current contracts, plus or minus cost-of-living and service level adjustments.

- Refer to your depreciation report for your contingency fund figure. Ensure it meets legislative guidelines.

- Think about community values. For example, if your community prides itself on maintaining beautiful gardens, can funds be set aside to purchase 10 new rose bushes? Is your community family focused? Perhaps a new piece of playground equipment is in order.

- Consider your regional and national economy and the financial effect it has on the

owners. Is this a time to spend a bit extra or pull back?

Creating a budget is more than just numbers. Create a budget that demonstrates council's understanding of owner needs, constraints and lifestyles.

## Step 3: Presenting at the Annual General Meeting

Once you and the rest of council are satisfied with the proposed budget, the budget is ready for the final test: consideration by the owners at the annual general meeting. A carefully prepared budget is easy to pass at the annual general meeting.

The treasurer should move to adopt the budget followed by a brief summary of what the budget is meant to achieve. All council members, depending on their council duties, should field questions from the owners. There should be no need to defend the budget.

A well-crafted budget that realistically addresses the needs and values of the community should almost pass itself. The key is in the preparation.

## Step 4: Monthly Fees

Out of the adopted budget flow your strata's monthly fees. Assuming a balanced budget was adopted, fees are the total expenses divided by the 12 months in the fiscal year and adjusted by each strata lot's unit entitlement.

## THE FUTURE IS BRIGHT

Budgets are exciting documents, not dull, boring financial documents. Your

# Quotes for change

• *If you don't like change, you will like irrelevance even less.*

-General Eric Shinseki

• *Change means that what was before wasn't perfect. People want things to be better.*

-Esther Dyson

• *Resistance at all cost is the most senseless act there is.*

-Friedrich Durrenmatt

• *If we don't change, we don't grow. If we don't grow, we aren't really living.*

-Gail Sheehy

• *Those who cannot change their minds cannot change anything.*

-George Bernard Shaw

• *I cannot say whether things will get better if we change; what I can say is they must change if they are to get better.*

-Georg C. Lichtenberg

budget builds the road to your strata community's future. Budgets provide peace of mind when owners are confident the essentials are covered, the contingency fund is growing and the community's purpose is being served. Budgets are not about finances for the sake of finances. Budgets are a financial tool to take you where you want to go.

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# What Does Your VISOA Board Do?

by Sandy Wagner

Each year in preparation for VISOA's AGM, we actively seek out members willing to let their name stand for election to your Board; and where possible we try to have a coffee meeting in advance so we can let them know what the "job" entails before they make a commitment. Sometimes, after understanding the expectations of a director, a candidate says "Thanks but no thanks". More often, when they realize how much team effort goes into the Board's activities, we hear "Wow, I didn't know you did all that – I'd love to help!"

With that in mind, we thought a short article outlining your Board's responsibilities might be of interest to members.

First, just like your strata corporation, we have a President, Vice President, Secretary and Treasurer. But that is pretty much where the similarity ends!

The most important work of the directors is to advance VISOA's statement of purpose

- To promote and encourage strata ownership as a desirable way of life.
- To assist strata corporations and strata lot owners by providing education and training and, when requested, assistance to them in the discharge of their legal duties

and obligations.

- To represent the interests and concerns of strata corporations and strata owners to the government and its agencies and to the public at large.

The main duties of the directors in accomplishing these aims are to manage the day-to-day affairs of VISOA's business in accordance with our Constitution and Bylaws under the Societies Act.

So, at the monthly board table, we brainstorm ideas for seminars, workshops and other outreach to strata owners. We also look for opportunities to connect with new stratas and strata owners who may become potential members as well as seek ideas for new publications which might provide useful information to strata owners.

We form committees known as Working Groups to do planning - usually via email - between board meetings, and the committees report to the Board monthly. Those committees are: Advertising; Bare Land; Bulletin; Government Relations; Helpline; Marketing; Memberships (General); Memberships (Business); Outreach; Nominations; Publications; Seminars; Social Media; Website; Workshops.

Each director sits on at least two working groups, and chairs

one or more. Some of these are more labour-intensive, such as the Helpline which handles calls and emails from members with strata questions. The Helpline Team consists of three board members and two volunteers, with the bulk of the work being done by one board member and those volunteers. As this is a very vital part of our purpose, we ensure that all team members receive plenty of resources and training before they begin their work.

The Membership Team was one of our more busy and intense working groups when it consisted of directors and volunteers who handled new applications, membership renewal reminders, database maintenance, etc. However, we have more recently given many of these clerical functions to our office staff, Evelyn and Donna, in order that the membership chair concentrates on acquiring new members and retaining current members. Our Business Membership Team also concentrates on gaining and retaining members.

The Seminar and Workshops Groups are where we provide group education. We are always looking for good topics and well-informed authorities to present them, and you may be surprised to learn that our first-rate guest speakers donate their time – our costs are for the venue and hand-out materials. Seminars are open to the public, and Workshops are open only to VISOA Corporate Members.

Our publications have evolved



*Continued on page 17*



over the last eight years from photocopied sheets, punched and inserted into school-type covers, to high quality professionally printed and bound booklets. And very recently we have also begun to sell those publications digitally at greatly reduced prices. The Publications Team keeps an eye on topics for new booklets, and aims for one new title annually – written and edited by volunteers.

And speaking of writing and editing, this Bulletin is a team effort as well. The Bulletin Team members research and write articles, and keep an eye out for the opportunity to include articles of interest from other sources – both online and from members. Then the material is sent to a graphic designer for formatting, professionally printed and sent to those who have a paper subscription, and emailed to other members.

Our Website team is currently made up of two volunteers (consisting of two former board members) who use professional help occasionally. The board member who leads the Website Group doesn't need to be a website expert – although some familiarity with the IT world is very useful – but coordinates and passes along ideas and suggestions between the board and the rest of the team.

These are just a few of the opportunities on your Board. In addition to the nine current board members, we have upwards of 40 other volunteers – as the old saying goes, many hands make light work!

If you would like more information on joining VISOA's Board of Directors, please email me at [president@visoa.bc.ca](mailto:president@visoa.bc.ca)

# Community

*"True belonging is born of relationships not only to one another but to a place of shared responsibilities and benefits. We love not so much what we have acquired as what we have made and whom we have made it with."*

—Robert Finch

*"The greatest challenge of community life is to create synthesis, embracing diversity in a unified whole, resolving differences with the healing spirit of love and dedication to the good of the whole."*

—Corinne McLaughlin & Gordon Davidson

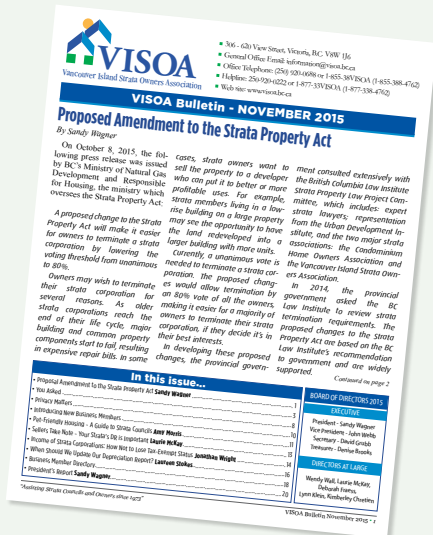
*"Equality comes in realizing that we are all doing different jobs for a common purpose. That is the aim behind any community. The very name community means let's come together to recognize the unity. Come ... unity."*

—Swami Satchidananda

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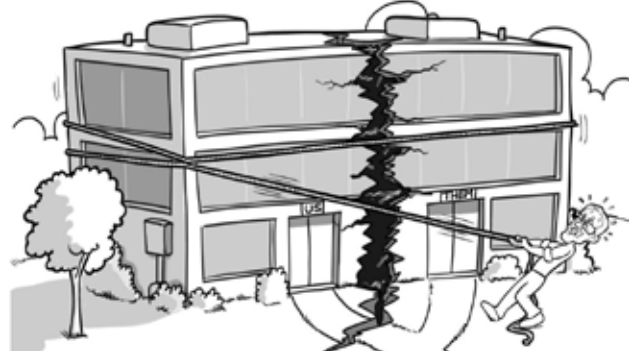
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For more information regarding Business Memberships please contact Laurie McKay at 250-920-0688 or businessmembers@visoa.bc.ca (Please note that VISOA does not guarantee or warranty the goods, services, or products of our business members).



# President's Report



## How quickly 2015 came and went!

It seems it was just a short time ago we were celebrating VISOA's 40th anniversary, and here we are beginning our 42nd year. Is it just me, or did 2015 vanish?

*Sandy Wagner* We at VISOA kept busy! We held our usual 6 seminars with a total attendance of 793, and 8 smaller workshops with a combined attendance of 192. In addition, the Helpline Team and other board members attended 19 member strata AGM's and other meetings to provide assistance. There is no charge for this support to corporate members, however, as we are all volunteers, we can't fulfill all requests.

The Helpline Team answered just over 1200 of your questions in 2015 (which figure doesn't include the many times when there is extensive correspondence on a single issue with one member). Recurring themes include finances including who pays; council actions and governance; and bylaw enforcement. It is based on the most frequent questions that we plan many of our seminar and workshop topics, as of course our main function is education.

As the Board's President, I attended committee meetings with the Civil Resolution Tribunal, the Strata Manager Advisory Group, and the BC Law Institute. In addition I gave three radio interviews and three newspaper interviews, all focusing on the challenge of combining the positive aspects of strata life with the potential pitfalls.

2015 was also the year we launched our digital publications. We are quite proud of our suite of educational publications, all created in-house by volunteer authors, but we recognize that your reading habits are changing and so digital downloads of all our publications are now available at half the cost of print. We anticipated a consequential small decrease in publication sales but the numbers are up, so we know our books are now getting into more hands.

Membership revenue figures in 2015 were off budget slightly, with the total number of members just under 9000. Our previous Membership chair left the board shortly after her election due to health concerns, and so with a renewed commitment from new board members we intend to do better in 2016, both in following up with the occasional non-renewing member, and gaining new

members. Certainly, Membership income is the bulk of our operating budget, comprising approximately two thirds and with the continued growth in strata construction, we know there are many more stratas who don't yet know what they don't know!

The membership team has several volunteers and any member who is interested in contributing to our growth should email [membership@visoa.bc.ca](mailto:membership@visoa.bc.ca) or contact me directly. Our volunteers are too numerous to list here, but you know who you are, and you know how much we appreciate you!

And speaking of volunteering, this is of course my annual call for members to join our Board of Directors at our AGM, which will be held on February 28th. Members often think of strata council and assume our role with VISOA is similar, but in reality, it is quite different. And so within this Bulletin I have written a short article to explain just what our duties are. The "jobs" do expand and contract according to the time each director has available. If after reading the article, you have an interest in joining your VISOA Board, please contact me.

*Sandy Wagner, [president@visoa.bc.ca](mailto:president@visoa.bc.ca)*

## THANK YOU TO OUR 2015 BOARD MEMBERS:

### John Webb

Vice President, Publications, and Nominations

### David Grubb

Secretary, Helpline and Bulletin

### Denise Brooks

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### Laurie McKay

Business Membership and Helpline

### Lynn Klein

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### Deborah Fraess

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### Kimberley Chretien

Membership and Seminars

## And of course thanks to our staff and contractors:

**Evelyn Jones** – Office Administrator

**Donna Salmon** – Office Assistant

**Madeleine Libbey** – Accountant

**Jeff Albert** – IT Support for Website and Database

**Georgia Ireland** – Graphic Designer for Bulletin and Publications

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