



Vancouver Island Strata Owners Association

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## VISOA Bulletin - MAY 2016

# Must a Strata Admit Census Takers?

*By Sandy Wagner*

Census time is upon us again, and we receive many questions every five years (like clockwork) asking whether a strata must admit census takers to their building to complete the survey. With more and more citizens filling in their Canada Census forms online, thankfully there will be fewer “in person” visits to your strata for this purpose.

From the point of view of the census interviewers, their job is to contact each address on their list. Having done this job myself in the past I can attest to the difficulty of getting into secure buildings to fulfill those duties! Some buildings have restricted elevator access, so that guests can only enter the floor which they have been buzzed in to; while others have no unit numbers on the entercom system, making it difficult to know how to contact a given unit.

The Statistics Act says that participation in the Census of Population is mandatory – all Canadian Households must complete a Census of Population questionnaire. All Census interviewers wear photo identification and if there is any doubt about their identity, anyone can call Statistics Canada at 1-866-445-4323 for verification.

But – all that being said – does a strata have to admit census takers?

The simple answer is No. The entercom is the public

“front door” of the unit, and if the census worker is not able to reach the occupant on a given day, then they must keep trying and may never actually reach anyone in that residence. The strata corporation has no obligation to give entry to the building. You may wish to do so, and might wish to accompany the census worker as they slip reminder notices under unit doors, but you must not accompany the worker while they complete the census form – that private information is protected by law.

On the other hand, some census workers are both persistent and creative, and have been known to walk the halls knocking on doors after having been admitted by one owner and completing their census. Or they may buzz up to random units and ask to be allowed in to attempt contact of other occupants. They are just doing their job and whether the strata council asks them to leave the premises depends on the building. Is it a 20-story tower with 300 occupants? If so, the presence of a single stranger could go unnoticed, or could cause a security concern. If it’s a 2-floor walkup with only 8 suites, chances are that the owners are all known to each other – but do they want a stranger in their halls? The strata corporation is within their rights to ask a census taker to leave common property unless invited into a unit by a specific occupant.

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# Pilot program for Electric Vehicle Charging Saanich/Victoria

By Wendy Wall, VISOA Board Member

Does your strata currently have two or more residents with electric vehicles and/or owners who are seriously interested in purchasing electric vehicles? If so, please send us an email to editor@visoa.bc.ca

VISOA is in discussions with the District of Saanich and potentially the City of Victoria to develop a pilot program whereby the municipalities would help with the logistics and cost of installing one or more electric vehicle charging stations in your condominium complex. A real-world example of an installation would be the starting point for the municipalities to gain a better understanding of the logistics of working within the *Strata Property Act* and the potential challenges of upgrades to older electrical systems to make electric vehicle charging stations possible. This could be the starting point for municipalities to develop programs for the benefit of stratas throughout the region.



Please send us an email if you are interested in discussing this opportunity. You do not have to make a commitment at this point.

VISOA is just trying to find stratas for the District of Saanich to contact and open a discussion.

You may also be interested to read about the recently announced BC incentive program to subsidize the cost of installing EV charging stations in multi-unit residential buildings and stratas:

<http://pluginbc.ca/residential-building-charging-incentive/>

VISOA's June 26 seminar in Victoria will cover this and other energy-minded topics. The seminar "Bright Ideas for Stratas: LED Lighting, Solar Panels and Electric Vehicle Charging" is still in the planning stages, and we intend to have up to five speakers each bringing their unique perspective to these progressive ideas.

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# Service Dogs and Strata Corporations

By Shawn M. Smith, Barrister & Solicitor



In January the new *Guide Dog and Service Dog Act* (the “G D S D A”) was brought into force. While perhaps having a rather non-descript name, it has the potential to have a fairly significant impact on individual strata corporations.

The GDSDA provides for formal certification of a dog as either a “guide dog” or a “service dog”. (Guide dogs are for assisting those who are blind or visually impaired and service dogs are for assisting those with a disability). The legislation permits the establishment of criteria which must be met in order to obtain such a certification. Simply because one has or obtains a dog they consider to be a service dog, does not make it so. The only “grandfathering” contemplated by the GDSDA applies to dogs officially recognized under the former Guide Animal Act.

Guide dog teams and service dogs teams (defined as the certified dog and the person it serves) are afforded certain rights such as the right to enter buildings and businesses. Those same rights are extended to dogs-in-training and their trainers.

The obligations of a strata corporation under the GDSDA are not found in that act, but rather in the *Strata Property Act*

(“SPA”) itself. A consequential amendment was made to s.123 of the SPA to address the provisions of the GDSDA. That amendment is as follows:

*(1.01) A bylaw that prohibits a pet or other animal or that restricts the access of a pet or other animal to a strata lot or common property does not apply to*



*(a) a guide dog or service dog, or*

*(b) a dog that is a member of a retired guide or service dog team if the person who is a member of the team is an owner, tenant or occupant.*

*(1.02) In subsection (1.01), “guide dog”, “retired guide or service dog team” and “service dog” have the same meaning as in the Guide Dog and Service Dog Act.*

Those amendments do not restrict the ability of the strata corporation to make bylaws pertaining to

pets (including a bylaw limiting or restricting pets). Rather, they exempt certified guide or service dogs from any bylaw which prohibits pets from being kept in strata lots or, where pets are allowed, restricts them from certain parts of the common property such as a clubhouse or recreation facilities. Guide and service dogs are not exempt from all bylaws pertaining to pets, however. There must still be compliance with bylaws requiring pets to be registered, to be leashed, etc.

The provisions of the GDSDA are not remarkable with respect to their application to strata corporations. The Guide Dog Act, which it replaced, granted very similar rights and imposed very similar obligations, albeit with

*Continued on page 4*

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respect to a much narrower class of dogs; primarily dogs to assist those with vision problems.

Similarly, there has long been an obligation under s.8 of the Human Rights Code (the “Code”) to permit persons who require a dog for assistance with a mental or physical disability to keep such an animal in their strata lot (provided they were able to establish a nexus between that request and their disability – see Judd v. Strata Plan LMS737 2010 BCHRT 276) notwithstanding a bylaw which prohibited or restricted pets. What the GDSDA does, however, is establish an objective means for determining whether such an exemption must be permitted. In other words, if a dog has been issued a certificate then an exemption from the bylaw must be granted. No longer

is there a need to engage in the “nexus” test and no need for owners to provide medical evidence to satisfy that test..

However, the GDSDA does not necessarily oust the obligation to accommodate a person under the Code. While it contains a definition of a “blind person”, the GDSDA does not define a “disability”. Presumably that will be done through regulations, but none are in place as of yet. The definition of “person with a disability” refers to the need for that person to “require, as a result of the disability, the assistance of a service dog for daily living.” However, no guidance is given as to what is meant by “assistance” nor what encompasses “daily living”. It could very well extend to include a person with mental health issues who requires the

companionship of a dog in order to get through their daily routine. While those terms may eventually be defined by regulation, it will ultimately be up to the entity tasked with issuing certification whether the qualifications related to the issuance of a certificate have been met, not the strata corporation.

To the extent that those defini-

tions and criteria are narrower than under the Code, there may still exist the need for accommodations being granted under the Code. (For example, in Jones v. Strata Plan 1571 2008 BCHRT 200 the Tribunal found that the strata corporation discriminated in not permitting Mr. Jones to have a dog to assist with his vision problems because it was not a certified guide dog.) Since the GDSDA applies only to dogs, owners, tenants and occupants who seek to keep other types of animals, such as a cat, to assist with a disability would need to seek accommodation under the Code, meeting the criteria to establish the need for the same.


A unique aspect of the GDSDA is its protection of retired guide and service dogs. The concept of a “**retired guide or service dog team**” is also introduced. It is defined as: “*retired guide or service dog team*” means an individual and a dog that were previously members of the same guide dog team or service dog team and that

- (a) are living together; and
- (b) are certified as a retired guide or service dog team;

A dog, once no longer able to perform its role as a guide or service dog, is permitted to remain with its owner notwithstanding that it no longer has a role in helping that person. This means that an owner, tenant or occupant who generally requires a guide or service dog, would be permitted to have more than one

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dog (the current service dog and the retired dog) despite a by-law prohibiting dogs entirely or even one limiting them to one. It also means that an owner who used to require a service dog, but no longer does, is exempt from any bylaw and is permitted to keep that dog so long as it is certified as a “retired” guide or service dog.

Under the GDSDA persons who train guide and service dogs are afforded the same access rights as guide dog and service dog teams so long as they and the dog are properly certified as a “dog-in-training team”. However, s.123(1.01) does not include dog-in-training teams. As such, a strata corporation can restrict or prohibit their access to the common property.

Many strata corporations which permit pets also have bylaws which allow the strata corporation, upon notice and subject to due process, to order a dog which is a nuisance to be removed from the strata corporation. Given the wording of s.123(1.01) such a bylaw is arguably inapplicable to a guide or

service dog which has been certified under the GDSDA since it amounts to prohibiting access for that dog to a strata lot.

Strata corporations with no pet bylaws will need to be aware of and remember the broader application of this new legislation when faced with residents who have or acquire a dog for assistance purposes. Where a certificate is issued, the strata corporation will be obliged to respect it; regardless of what it may think about whether or not it should have been.

*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.*

## MARK YOUR CALENDARS Depreciation Reports Time to Update



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# Courtenay-Area Members: Workshop And Seminar Coming Your Way

Our next seminar in Courtenay will be held on Sunday May 29th at the Crown Isle Resort – remember that our seminars are free for members. The presentation is still being finalized as of the date of this Bulletin, but the guest speaker will be John Grubb of Unity Services. John plans to speak on the important topic of Depreciation Reports.

Now, we know that almost all our members have completed a DR – so why are we “preaching to the converted”? If your strata complied with the legislation and completed your first DR by December 2013, your “three year update” will be due shortly. John plans to talk about these topics and more:

- Why did the government require a three-year update?
- Is a three-year update really necessary?
- How much should it cost? What

is the cost not to update?

- Can you (should you) defer it, and if so, what is the process?
- What have you done with your Depreciation Report?
- Is it sitting on a shelf, or have you actively worked it?
- Do you have a long-term maintenance plan based on your DR?



John will answer these and all your questions at our interactive seminar. The seminar is open to the public – free for members who pre-register, or \$20 for non-members

who pre-register; or an additional \$10 at the door if not pre-registered. Registration information will be on our website by the time you read this.

In addition, we have been asked by many of our North Island members to hold some of our full-day workshops in Courtenay, and so we are glad to oblige.

On Saturday May 28th, we will be presenting

“Strata Council 101” – a full-day interactive workshop for VISOA Corporate Members, to be held at the Crown Isle Resort. Whether you’ve recently been elected to strata council or have served previously, this workshop will explain your responsibilities and how to carry them out. Whether your strata is a condo tower, townhouses, or bareland strata development, you will learn how to become an effective contributor.

## Topics include:

- What are the responsibilities of strata council members?
- Your guidelines – the *Strata Property Act*, the Regulations, By-laws and Rules
- Council organization and effective meetings
- Looking after your property
- Budgets, financial statements
- Depreciation reports and contingency reserve funds
- Keeping records
- Communicating with owners

The \$75 fee includes the full workshop and all handouts, both in print and digital formats, as well as lunch in the Silver Room. We limit attendance at workshops to a small group of 20 so that everyone has a chance for input and questions – come prepared for full participation!

Workshop tickets may be ordered at <https://stratacouncil101.eventbrite.ca>

Courtenay, we’re looking forward to seeing you again!

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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.

## BULLETIN SUBSCRIPTIONS

VISOA provides 4 information-packed bulletins each year.

- Corporate membership fees include emailed bulletins to up to 4 council members.
- Individual membership fees include emailed bulletins.
- Postal mailed bulletins are available to members for \$15 annually per address.
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# YOU ASKED

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

## What To Do About Cracks in the Floor

**Q:**

A new owner (owner A) of a ground floor unit decided to make some renovations before he moved in and discovered a crack in the floor of his unit. He brought in an engineer; the crack was mended and the floor was leveled. He did not advise council prior to any of the work. Another owner (owner B) has sent a letter asking if council would reimburse owner A for costs incurred as this was a structural flaw and the strata is responsible for costs to maintain the structure. The owner of the cracked floor has not contacted us. What is council's responsibility in this issue?

**A:**

This is where the SPA shows its own cracks and is

another example of "It depends"!

The definition of the strata lot is:

## Strata lot boundaries

**68 (1)** Unless otherwise shown on the strata plan, if a strata lot is separated from another strata lot, the common property or another parcel of land by a wall, floor or ceiling, the boundary of the strata lot is midway between the surface of the structural portion of the wall, floor or ceiling that faces the strata lot and the surface of the structural portion of the wall, floor or ceiling that faces the other strata lot, the common property or the other parcel of land.

Thus, in theory, and given that (a) owner A is on the ground floor which makes the "lower half" of the floor part of the common property and (b) the crack did not penetrate beyond the centre line of the floor, then that part of the flooring is within the boundary of owner A's strata lot and the responsibility to repair is therefore the owner's problem.

However, Standard Bylaw 8 (SB) requires the strata to repair and maintain the "structure of the building" whether common property or part of a strata lot.

Nevertheless, it would be interesting to know if the new owner abided by SB 5 (or your equivalent):

## Obtain approval before altering a strata lot

**5 (1)** An owner must obtain the written approval of the strata corporation before making an alteration to a strata lot that involves any of the following:

- the structure of a building;
- the exterior of a building;
- chimneys, stairs, balconies or other things attached to the exterior of a building;
- doors, windows or skylights on the exterior of a building, or that front on the common property;

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(e) fences, railings or similar structures that enclose a patio, balcony or yard;

(f) common property located within the boundaries of a strata lot;

(g) those parts of the strata lot which the strata corporation must insure under section 149 of the Act.

(2) The strata corporation must not unreasonably withhold its approval under subsection (1), but may require as a condition of its approval that the owner agree, in writing, to take responsibility for any expenses relating to the alteration.

(3) This section does not apply to a strata lot in a bare land strata plan.

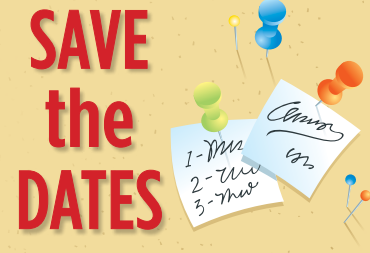
If owner A did apply to the strata (and received permission), the strata would not necessarily have responsibility for costs unless the owner brought the issue to council's attention right away with a request for the council to make the repair. In that case the strata would have taken responsibility in

accordance with SB 8 (including the engineer's fees).

If he did not, then (a) he has contravened SB 5 and (b) he takes on himself the responsibility - and the costs - for whatever he did...even though he has to be commended for actually bringing in an engineer to evaluate the crack.

Regardless, if the council should be approached by owner A and agree to reimburse costs to the owner, they might do so in accordance with SPA s.98(2), unless it was determined to be a critical repair, in which case SPA 98(3) would apply.

All the above being said, the fact that owner B has brought it to council's attention (presumably in trying to be a good neighbour) is irrelevant. Having no standing in the matter, owner B should have advised owner A that he could write to council himself if he felt it was an issue.



## VISOA 2016 Planned Seminar Dates

**MAY 29**

**Courtenay  
Crown Isle**

**JUNE 26**

**Victoria  
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# Common Property Registration in the Land Title Office

By Doug Leathem, Real Property Advisor, Dye & Durham Corporation

Common Property can be defined as any part of a strata plan which is not a strata lot. This can take a variety of forms, such as a surrounding yard, parking garage, interior hallways, amenity room, mechanical room or rooftop. At the time a strata plan is filed at the Land Title Office (LTO), one of the mandatory documents in the package is the Form V – Schedule of Unit Entitlement. This defines the fractional interest of common property that is part of each strata lot. Before 2000 the schedule of unit entitlement was on the strata plan, but after 2000 it changed to become a supporting document (Form V) in the plan package. Although each strata lot owns a fractional interest in the common property, it is exclusively controlled by the strata corporation. Owners use the common property as allowed within the *Strata Property Act* (SPA), and any bylaws and rules as passed by the strata corporation.

Common property may be designated for the exclusive use of a strata lot or lots, and is known as limited common property (LCP). Examples of LCP could include patios, balconies, parking spaces and storage lockers. The strata corporation continues to have control of these areas, but a specific strata lot will have exclusive use. LCP may be designated within the strata plan as filed at the LTO by

the developer, or may be created at a later date.

Section 74 of the SPA allows a strata corporation to designate LCP with a resolution passed by  $\frac{3}{4}$  vote, at an annual or special general meeting; this does not require an amendment to the strata plan. The LTO requires the resolution, together with a sketch plan, to register LCP. Sketch plans can be created by laypersons, but must show the LCP area in relation to the lot lines of the strata plan. The designated areas must be dimensioned in metric units on all sides, and clearly identify which strata lot the area is designated to.

However, if there is a wish either to designate LCP on, or to remove LCP from, the original registered strata plan (i.e. to alter the lines and dimensions drawn on the plan), Section 257 of the SPA allows a strata corporation to do so only with a resolution passed by unanimous vote of the owners at an annual or special general meeting. Under this section, the LTO requires a reference or explanatory plan be drafted by a surveyor, which reflects the change(s), together with SPA Form E.

Section 258 of the SPA allows a developer to amend the strata plan to designate parking stalls as LCP after the strata plan is registered, but prior to the first AGM. This authority is limited to assigning initial and extra parking stalls. The application to

the LTO must be accompanied by a reference or explanatory plan prepared by a surveyor, and filed as an amended sheet in the same manner as the original strata plan.

Section 263 of the SPA provides the authority to add a strata lot to common property. The LTO requires an SPA Form E, certifying the amendment was passed by unanimous vote at an AGM or special general meeting, together with a reference or explanatory plan prepared by a surveyor. If the addition of the strata lot affects the unit entitlement or voting rights, a new schedule of unit entitlement and voting rights is required. Land being added to common property must also be conveyed by freehold transfer to the strata corporation. If the strata plan was originally filed under the *Condominium Act* (prior to January 2000), a Form Z.1 “Amended Interest on Destruction” is required.

Section 265 of the SPA provides the ability to convert common property into land held by, or on behalf of the strata corporation. The LTO reviews the application under Part 7 of the *Land Title Act* and requires a subdivision plan. Signatures of all the strata lot owners and charge holders is required on the plan, and signatures of charge holders of the common property being subdivided are required (unless deemed unaffected by

*Continued on page 11*

the deposit of the plan).

Application to amend common property in any respect is a complex process. Assistance by a lawyer or Notary Public familiar with the SPA is highly recommended. Larger registry agent companies like Dye & Durham Corporation are also able to provide guidance to self-managed strata corporations on these topics.

*Dye & Durham is a wholly-owned Canadian company that has been in operation since 1874. As the land title system and Strata Property Act continue to evolve, our team of 13 real property registry agents averaging 25+ years' of experience make it their business to stay up to date. For more information or assistance, kindly contact Doug Leathem at 778-312-0209 (1-800-661-1811), or landsearch@dyledurhambc.com.*

## COMING IN THE AUGUST BULLETIN



We're already planning ahead for the August Bulletin. Articles we're working on include a "point/counterpoint" set of articles, with opposing viewpoints from two strata experts on the topic of strata council elections; as well as a feature from the BC Landscape and Nursery Association on what to look for when your strata hires a Landscape Contractor.

## Seminar sound system provided by PROSHOP SOUND & LIGHTING



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*When people shake their heads because we are living in a restless age, ask them how they would like to live in a stationary one, and do without change.*

-George Bernard Shaw

### ~ DISCLAIMER ~

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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# Money Down the Drain

By Wendy Wall, VISOA Board Member

You have likely seen news reports about the high costs that municipalities incur due to blockages in aging and stressed sewer systems, but have you ever considered the problems that occur in your strata building? We often don't realize the harm we are doing by what we flush down our toilets and put down our sink and shower drains. I live in a 1970's 4-story apartment style condo building that is constructed in such a way that drains are shared. Each column of 4 units share the same kitchen drain stack and up to 8 units share the same bathroom drain stack. Blockages cause backups that are costly, smelly and disruptive. Imagine the horror of coming home to stinky, black sludge overflowing from your sink onto your beautiful floors or

carpets. Stressful situations can be avoided if residents learn new habits.

The worst culprits are referred to as FOG. According to the CRD, almost one million kilograms of Fats, Oils and Grease (FOG) flow down the



drains of homes throughout the Capital Region. Well, it doesn't always flow. FOG can clog pipes and treatment screens, causing backups, overflows and odour

problems. FOG that makes it through to the ocean can deplete oxygen, damaging fish and other organisms that inhabit the environment. Not to mention that it takes additional energy and cost for treatment plants to break down excess FOG entering the system. Grease sticks to the insides of drain and sewer pipes (both on your property and in the streets). Over time, the grease can build up and block the entire pipe.

A few simple actions can make a big difference. Since most buildings are now participating in kitchen scraps collection, the CRD suggests the following for **fats, grease, lard, shortening, butter, margarine, sauces, salad dressings, sour cream, yogurt:**

- Scrape these directly into your

*Continued on page 13*

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kitchen scraps bin.

- Before rinsing kitchenware, use a paper towel to wipe off most of the residue then put the soiled paper towel in your kitchen scraps bin.

- For grease left over from cooking and frying, cool then pour it into a container. Store the container in the refrigerator or freezer until full and then dispose of it.

- If the grease has solidified, scrape it into your kitchen scraps bin. Tip: use a compostable container so that the whole container and contents can be placed in the kitchen scraps bin.

Note that garburators do not keep grease out of the plumbing system. These units only shred solid material into smaller pieces and do not prevent grease from going down the drain.

**Other things to never wash**

**down your sinks or toilets: coffee grinds, egg shells, food, bones, produce stickers, chunks of garbage, Dixie cups, Q-Tips, feminine hygiene products, condoms, paper towels, rags, diapers, babywipes and catlitter.**

One of the biggest problems right now are so-called flushable wipes. Sewage experts in North America say that these do not biodegrade quickly enough to avoid clogging pipes. The CBC reported that blockages due to these products are costing Canadian taxpayers over 250 million dollars a year. Experts in London, England claim that flushable wipes were a major contributor to the now famous “Fatberg”, a 15-tonne greasy lump that nearly flooded the city’s sewer system in 2013 and took 3 weeks to dismantle.

What can a strata owner do to

keep drains clear? According to the plumbers and drain specialists I consulted with, the best way to keep your drains clear is to **run the hottest water possible for several minutes.** Drano is a no-no. Despite best intentions using drain cleaning products, commercial additives or detergents that claim to dissolve grease may only pass grease further down the line and cause problems in other areas. Residents often flush baking soda down their drains but this can cause more harm than good. Baking soda can harden to a cement-like substance inside the drain stack. FOG sticks to it and other things like hair, then *voilà*, the drain stack gets constricted with build up, the water has nowhere to flow and everything flowing down the drain stack from the units above backs up into an owner’s unit.

Continued on page 14



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Another simple yet effective habit is to use a strainer in kitchen sink drains to catch food scraps and in your bathroom to catch hair for disposal in the garbage.

To protect our streams, oceans and wildlife, the CRD asks that we do not flush medications, chemicals and toxic items down the drain. Return unused prescription or over-the-counter medications at no charge to your

local pharmacy. Recycle motor oil, anti-freeze and more at your local auto garage such as Canadian Tire. Household paint and much more can be recycled for free at depots such as Ellice Recycle and Alpine Disposal. Go to [www.crd.bc.ca](http://www.crd.bc.ca) and search "household hazardous waste". Look for "Information & Disposal Options" to learn how to safely dispose of dozens of items such as flammable/explosive/

alcohol and hair dye. Another excellent resource is "My Recyclopedia" on the CRD's website.

[www.crd.bc.ca/service/waste-recycling/reduce-reuse-recycle/myrecyclopedia](http://www.crd.bc.ca/service/waste-recycling/reduce-reuse-recycle/myrecyclopedia)

Long live our pipes: In our building the drain stacks are 2 inch or 3 inch diameter cast iron. After 40 years the once thick walls are thinning making clearing out blockages a concern. On the one hand the strata has to keep the drain stacks clear but on the other hand you don't want to auger them too often and break through any worn areas of the pipe. Theoretically if all residents followed the recommendations above, the life of the drain stacks could be extended. Less money "down the drain".

corrosive substances, flea / tick pet products, fungicides / herbicides / insecticides / chemical fertilizers and personal care products such as hydrogen peroxide, rubbing

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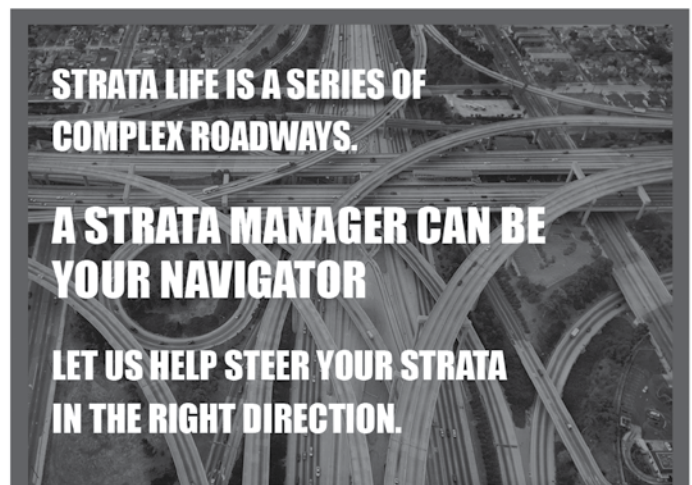


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# Introducing New VISOA Board Directors

At our AGM on February 28th, members elected three new Directors, and gave your board an authorization to appoint one additional board member, which was done in the week following the AGM.

## THESE ARE YOUR NEW DIRECTORS:

### TONY DAVIS

Tony has been a strata owner for 25 years and has been on Council and served as president. He was also previously on the VISOA Board for 8 years and served as president. Since his past stint on the Board he has continued to volunteer his time and is responsible for the VISOA website.

### MARV FERG

Marv has lived in his strata home for 11 years, and is currently president of his strata council. He brings to the VISOA board his background in administration and finance. At the first board meeting of the new term, Marv was elected as Treasurer.

### FRANCIS ZENI

Francis has lived in, and owned, every type of strata for the last 20 years, everything from an old character apartment strata to a large condo building, from a new townhouse to a bareland strata, and now a small strata, a triplex. For 12 of those years, he served on strata council in various positions, always with the goal of being fair, inclusive, and transparent. He plans to assist with VISOA's seminars and workshops.

### MARTINA MCCOMB

Martina has been a strata owner since 2003 and, during that time, has volunteered for VISOA and been active on her strata council. She volunteered for the Board a few days after our AGM, was unanimously acclaimed, and plans to take on the Membership role.

---

## STRATA ALPHABET SOUP

<b>BCREA</b> – British Columbia Real Estate Association	<b>LTSA</b> – Land Title Survey Authority
<b>CMHC</b> – Canada Mortgage and Housing Corporation	<b>OF</b> – Operating Fund
<b>CRF</b> – Contingency Reserve Fund	<b>OIPC</b> – Office of the Information and Privacy Commissioner
<b>CRT</b> – Civil Resolution Tribunal	<b>PIPA</b> – Personal Information Protection Act
<b>FAQ</b> – Frequently Asked Question	<b>RECBC</b> – Real Estate Council of British Columbia
<b>FIGOM</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
<b>LCP</b> – Limited Common Property	<b>VISOA</b> – Vancouver Island Strata Owners Association

## Quotes for change

• *He who rejects change is the architect of decay. The only human institution which rejects progress is the cemetery.*

-Harold Wilson

• *Change before you have to.*

-Jack Welch

• *People can cry much easier than they can change.*

-James Baldwin

• *Faced with the choice between changing one's mind and proving that there is no need to do so, almost everyone gets busy on the proof.*

-John Kenneth Galbraith

• *Be the change that you wish to see in the world.*

-Mahatma Gandhi

• *Never doubt that a small group of thoughtful, committed citizens can change the world. Indeed, it is the only thing that ever has.*

-Margaret Mead

• *Your success in life isn't based on your ability to simply change. It is based on your ability to change faster than your competition, customers, and business.*

-Mark Sanborn

• *If you don't like something, change it. If you can't change it, change your attitude.*

-Maya Angelou

# How to Communicate with Your Residents: Best Practices, Tips and Strategies

by Josh Duvauchelle

## Better-Informed Residents Create a Better Community

Open communication is core to any healthy relationship. The relationship between strata councils and the residents within their community is no different. Having a clear and consistent strategy to communicate with owners and keep them informed is not an option — it's a requirement.

When you keep them well-informed about everything from bylaws and rules to maintenance to upcoming events, you'll see happier community residents, fewer conflicts between you and residents, reduced disagreements between neighbours, and less apathy when it comes to community issues and owner involvement. As a council member, make it a priority to help your residents to receive, understand and contribute to critical information and decisions.

## Issues and Topics That Owners/Residents Want to Know

Every community is different with its own unique situations, but common issues and topics that residents need to be informed about may include:

- Current bylaws and community rules
- Changes to bylaws
- Upcoming maintenance (e.g., repairs, window cleaning, etc.)
- Community events
- Council meeting minutes
- Security alerts and updates
- Planned capital projects
- Lost and found notices

## Put Yourself in Your Owners' Shoes

Many common frustrations voiced by owners and residents to their board or council have little to do with the actual issue, but how the issue was communicated and implemented. For example, if the fob system for your building's secured entryways needs to be replaced, you need to inform owners and provide them with all the information they need to navigate this issue. Put yourself in

your community's shoes and ask yourself, "If I was receiving this update, what questions would I need answered?"

## Example questions include:

- When was the decision to do [XYZ] made and who was involved in making this decision?
- Who is doing the work and how much is it going to cost me?
- How long will I be affected by [XYZ]?
- What do I do if I can't do such-and-such because of [XYZ]?
- Who do I ask if I have a question about this?

Inform residents and give them any information they need to go about their day-to-day life with minimal inconvenience regarding the issues you've just communicated to them. When done successfully, you help to soothe any frustrations that the owners would otherwise bring to you and the rest of your council.

## Resident Communication is a Two-Way Street

Transparency and authenticity within your community is key to keeping your building engaged and committed to the work you're doing. That means not just pushing information to residents, but also soliciting regular feedback and recommendations. This builds respect and trust, and should you ever accidentally miscommunicate something, your owners will be more accepting if you've already built their trust by regularly using two-way communications.

## Councils and boards can keep communication open by:

- Creating a box where owners can drop in feedback or tips.
- Hosting an online poll using a service like Bazinga which can quickly help you build consensus.
- Asking for feedback in your newsletters.

*Continued on page 17*



- Sharing with the community how you've collected suggestions and acted on those suggestions.

### Notification Template

Take Scheduled Maintenance fill-in-the-blank template to inform your residents.

### 5 Tips to Successfully Communicate With Residents

1. Practice empathy. What are your owners' worries, concerns or stressors, and how can your update or community notice help answer those worries?
2. Use respectful language whenever you're keeping residents informed. Address them clearly, respect their valuable role in the community and welcome them into the process.
3. Keep owners informed of anything that could potentially concern them, not just the "big stuff." This cuts back on the amount of emails, phone calls or hallway meetings you and your fellow council members will experience.
4. Provide a clear way for them to respond to your updates.
5. Don't just communicate problems, maintenance updates or bylaw reminders. Build trust and respect by also regularly thanking your community for their contributions. Highlight ways they have helped make the building better.

Informing residents about important issues takes sensitivity. Approach community updates carefully with a positive goal in mind, as miscommunication can be as bad as no communication. While every situation is different, several common best practices can help you inform residents in the best way possible:

Maintaining a well-informed community is not necessarily easy, but not communicating properly can make your job as community leaders that much harder. Together, you can ensure everyone feels updated and knows what their council is doing and how each owner/resident plays an important role.

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# Community

*I am of the opinion that my life belongs to the whole community and as long as I live, it is my privilege to do for it whatever I can. I want to be thoroughly used up when I die, for the harder I work the more I live.*

~George Bernard Shaw

*The impersonal hand of government can never replace the helping hand of a neighbour.*

~Hubert H. Humphrey



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# President's Report



Sandy Wagner

As you can see by the list of Directors on the front page, your Board has re-elected me as your President. I hope to continue to serve our members well – I have enjoyed meeting many of you, whether conducting workshops or attending your AGM's and I'm happy to continue.

We have four new Directors to introduce to you: welcome to Marv Ferg, Francis Zeni and Martina McComb; and welcome back to Tony Davis who has served on the board in the past, and was your previous President. A short biography of each of our new Directors is on page 15. We now have a full complement of 11 enthusiastic and engaged members on the Board.

At our AGM, we heard from Shannon Salter, the Chair of the Civil Resolution Tribunal, who shared updates to the progress on full implementation, details on how it will all come together, and gave us some real samples of the Solution Explorer and the intake forms for the Tribunal's dispute resolution process. She knows that you've been eagerly (and impatiently) waiting for the CRT to open for "business" and although she couldn't give us a firm date, you will definitely hear from us at VISOA the minute it's launched. If you missed Shannon's presentation, the slides are on our website under "seminar speakers notes".

In the year to come, we in BC are faced with the 3-year renewal

of our Depreciation Reports – the deadline for the first DR was December of 2013, and so the deadline for an updated DR is upon almost all of us. I know that many stratas did not obtain their initial DR until late 2013 or even later, for various reasons – but now we all need to think about the required three-year update. I'd like to hear from some of you – are you going to do the update, or are you planning to waive it with a  $\frac{3}{4}$  vote? If you are waiving, I'd like to hear your rationale. We are planning a seminar in May, in Courtenay, on this very topic and some of your comments could be incorporated into the presentation and/or form a basis for a future Bulletin article on the topic. See page 6 for more details. Registration will be open by the time you read this Bulletin.

I hope you enjoy the articles we are presenting in this Bulletin. One question that is often asked is about a strata's obligation to admit Census workers. We answer that question for you on our front page.

Just over a year ago, the Province proposed new legislation – the *Guide Dog and Service Dog Act* to replace the *Guide Animals Act*. Now that this legislation has passed, lawyer Shawn M. Smith has prepared an article for you outlining how this will affect strata corporations.

Something we on the west coast are familiar with is fog – and Wendy Wall has written an article describing an entirely different sort of FOG – read about fats, oils and grease on page 12. And no, we're not talking about fats in your diet, but fats down the drain.

In addition, we have an article

from one of our Business Members, Dye and Durham, on making and filing changes to common property allocations; and I found a useful article on communicating with strata residents on GoBazinga.com and they graciously allowed us to reproduce the article for you.

As always, if you have any suggestions for future Bulletin articles, or ideas for Workshop topics, I'm always glad to hear from you.

Sandy Wagner,  
President@visoa.bc.ca

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