



Cranbrook Agencies Real Estate

Division of Sharron Billey Holdings Ltd.

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**MINUTES OF THE FIRST ANNUAL GENERAL MEETING OF
MOUNTAINVIEW STRATA NES 2964
OCTOBER 1, 2007, AT 7:00 PM
DAYS INN MEETING ROOM
CRANBROOK, BC**

Attendance: Frankie Seitz, President 1 Mark Sadler, Treasurer 2
Susan Ballard, Secretary 1 John Harder, Director 2
Stephanie Willford, Director1 Al Nadeau, Director 1
Stanley Hannah 1 Ronaye Matthews 1
Sonia Mama 3 Amy Duffy 1
Lillian Cowan 1

Staff: Sharron Billey, Strata Manager
Nancy DeRosa, Assistant to Sharron Billey

Guests: Maxine Harder Cindy Hannah
Kiel Ross

Sonia Mama carrying proxies for Ryan Baldwin and Chris DeRosa. Mark Sadler and John Harder each carried 2 votes, also Sharron Billey is an owner and will not vote for the purposes of this meeting, for a total of 15 out of 27 votes. A quorum was established.

The meeting was called to order at 7:10 PM by Strata Manager, Sharron Billey

ADDITIONS TO THE AGENDA:

- Roof
- Windows/doors

MOTION TO ADOPT THE AGENDA AS AMMENDED:

Sonia Mama, seconded by Ronaye Matthews, Carried.

The Minutes of the August 27, 2007 meeting were read by Sharron and received for information.

REPORTS:

FINANCIAL REPORT:

An unaudited report was prepared by Guenther, Ball Associates of Cranbrook, BC, of the Financial Statements for the period ending July 31, 2007.

The Financial Report shows the Operating Fund with a balance of \$13,382, and the Contingency Fund with a balance of \$33,222 as of July 31, 2007.

Motion to approve the Financial Report. Seconded. Carried.

PROPOSED BUDGET:

A committee of Mark Sadler, John Harder, and Sharron Billey met to discuss the Proposed Budget and review the old one. They found that some items were over budget and that there was extra money that could be used elsewhere. There were two proposals on the table to even the costs of Strata fees. One proposal was based on Unit Entitlement, and the other on the style of the units, as bachelor, one bedroom and two bedroom.

Attached is a copy of the proposed budget based on Unit Entitlement, and also included is a break-down proposed by Mark Sadler and John Harder based on the type of units in the building.

Discussion by the owners attending regarding the proposals ensued. Sonia Mama commented that the Government has seen fit to deal with Unit Entitlement. John Harder pointed out the fact that other Stratas have significantly lower strata fees, however, the Strata's used for comparative analyze were older and more established Stratas.

Further discussion involved setting priorities as to the spending of funds on improvements, and whether or not fees should remain the same until the fund was sufficient to pay for the improvements.

Before the Budget was dealt with, it was collectively agreed to discuss the major concerns, the window/doors, roof, and parking lot.

The windows/doors appeared to be foremost in the owner's priorities. Many of the windows are missing screens, weather stripping, rollers, and several ice up in the winter, some are dripping water. Also the front door is draughty and other entrance doors are in need of replacement.

A quote from City Glass on only the end Hallway windows was approximately \$600 per window. Stan Hannah suggested that we check with Skyline Windows to get quote from them. Unique Windows in Marysville deals with Skyline, a company out of Kelowna.

The Roof was the subject of the next discussion. Although it has not leaked since the last problem, everyone is to be aware that if there are any further problems, it will be the 4th floor that will be affected the worst. The last inspection indicated that there was probably another 4-5 years left in the life of the roof.

Motion from Mark Sadler to table the discussion on the roof for one year.
Seconded. Carried.

The Parking Lot was the next item of concern. An estimate from Vaughan Dale Enterprises Inc. was submitted (see attachment) for a total of \$11,160.00, not including taxes. This amount does not include the need for new electrical outlets for each vehicle, and when installed at the time of excavation, would cost approximately \$5500. Andrew Markle has provided \$7,000 for parking improvements.

Other issues regarding the parking lot were as follows:

- The retaining wall on the south side is falling over and will have to be replaced in the near future.
- The rip rap in space 406 needs to be replaced as this prevents a parking space being available for Unit 406 at present.
- The back parking lot, if leveled, the leveled part would be gravel for now, and eventually there would probably have to be a retaining wall around the back lot so the fence would not collapse.
- The parking spots are too narrow, would need widening and directional parking necessary, namely at right angles.
- There is a tree in the way of the dumpster that should probably be removed so that the dumpster could be moved right into the corner and out of the way of the driveway and not impede the parking availability.
- This entire job would be more costly if done in stages.

Motion to set aside the \$15,000 from the Developer, Andrew Markle, for future roof repairs, and to use other funds on the more urgent repairs. Seconded. Carried.

Motion to ask Strata management to obtain firm quotes on a breakdown of the costs of all windows, sliding doors, and exterior door from at least 2 suppliers and have those quotes available at our SGM in approximately 30 days. Seconded. Carried.

Motion to table the Financial issues for approximately 30 days while Stan Hannah and Sharron took another look at the parking situation and to obtain some firm quotes on the windows and door. Seconded. Carried.

A Special General Meeting will be held on October 29, 2007 with the findings of the issues at hand, and a decision will be made then.

Insurance Certificate:

The insurance rates have risen with the overall value changes in the building envelope. Based on rising prices and the improvements made to so many of the units, the Budget for insurance may have to be adjusted to reflect these changes. More quotes will be sought prior to renewal.

Motion to accept the review of insurance and that all questions have been answered regarding the policy posed by Susan Ballard. Seconded. Carried.

Strata Council:

Sharron asked for volunteers to form the next Strata Council, required a minimum of 3 and a maximum of 7 people. Gratefully, there were seven owners that put their names forward: Cindy Hannah, Ronaye Matthews, Frankie Seitz, Susan Ballard, Mark Sadler, John Harder, and Lillian Cowan.

Motion to accept these 7 volunteers to form the next Strata Council. Seconded. Carried.

NEW BUSINESS:

PET APPLICATION:

Sharron introduced a Pet Application used at another Strata for use at Mountainview Strata NES 2934. Discussion. The Strata Act states one pet per unit. It was agreed that guests also register their pet so that, in the event of a problem, they can be traced to the owner.

Question of logic regarding the weight issue of the pet. Discussion. Motion to eliminate the poundage requirement. Seconded. Carried

Motion to begin to use the pet application as well as to register the existing pets in the building. Seconded. Carried.

It was brought to the attention of Strata Management that elevator call button has not been working. Sharron said she was to meet with Kone on Thursday, October 4 and would address that issue with them.

There has been reported to be water and/or soap bubbles coming up from plumbing fixtures in the first and second floors. The plumber, when asked, said that with a building 4 floors, the pipes should be cleaned out periodically for residue. Sharron will deal with that issue as a maintenance item, and should be done as a yearly maintenance upkeep.

Motion to adjourn the meeting at 8:40 PM. Seconded. Carried.

The next Special General Meeting will be held on Monday, October 29, 2007 at 7:00 PM downstairs at the ABC Restaurant on the Strip in Cranbrook.

If there is anything you wish on the agenda of an AGM, please forward 4 weeks in advance so it can go out to all owners in the AGM package. Forward your request stating your topic to Strata NES 2964, 911 Baker Street, Cranbrook, BC V1C 1A4.

VAUGHAN DALE ENTERPRISES INC.
2219 MICHEL ROAD
CRANBROOK, BC V1C 6W5

September 30, 2007

Estimate

Mountain View Strata

RE: Estimate for excavation of parking area at Mountain View Strata Nes 2964

Excavate and level parking area sloping sides from fence line to parking area.
Remove excess fill and asphalt. Level parking area and apply gravel cover.

Backhoe	60Hrs. @ \$85.00hr.	5,100.00	Approximated Cost
Trucking	32 Hrs @ \$80.00hr	2,560.00	Approximated Cost
Landfill & Disposal Fees		2,500.00	Approximated Cost
(Asphalt debris must be recycled and can only be taken to BA Blacktop charged at current disposal rates)			
Gravel		1,000.00	Approximated Cost

Total Estimated Amount: \$11,160.00 Taxes not included.

Backhoe services will be payable to : VAUGHAN DALE ENTERPRISES INC. at a rate of \$85.00 hr plus GST. All other services are cost plus expenses.

Thank you,

Dave Martindale
(250) 421-1469

Proposed Strata Changes for Mt View:

September 18th 07

101 \$185
102 \$185
103 \$185
104 \$185
106 \$220
107 \$220
201 \$185
202 \$185
203 \$185
204 \$220
205 \$125
206 \$220
207 \$220
301 \$185
302 \$185
303 \$185
304 \$220
305 \$125
306 \$220
307 \$220
401 \$185
402 \$185
403 \$185
404 \$220
405 \$125
406 \$220
407 \$220

Total = \$5,200 per month.

Currently the range is from 124.36 – 262.53 or a difference of \$138.17 per month or \$1658.04 per year.

The proposed change is \$113 - \$238 or a difference of \$125 per month or \$1,500 per year.

The proposed average is \$192.59 per month.

Based on a value percentage contingent upon rental fees, market value, paid utility consumption, and overall strata value such a equal parking, repairs, maintenance etc. I believe the following to be fair.

The 3 Bachelor suites \$125 per month, they basically remain the same strata fee which is a much lower % than the one and two bedrooms on an overall value basis.

The 13 one bedrooms all at \$185 per month lower than all current some more than others.

The 11 two bedrooms all at \$220 per month lower than all current some more than others.

Strata fees on square footage basis as is the current design, allow for too much discrepancy of what is the true overall value of each unit and as a result the fairness of strata fee distribution is distorted. We believe the above to be much more fair and palatable as owners.



Instruction Guide 19

How to Alter Unit Entitlement

Important Notice: This Instruction Guide has been prepared by the Superintendent of Real Estate to provide information about the *Strata Property Act* (the "Act"). This is only a guide to certain parts of the Act and Regulations. Please consult the Act and Regulations to determine the complete and precise requirements of the Act and Regulations. In addition, please remember when reviewing statements about the Standard Bylaws that they may not apply until January 1, 2002, and even when they do apply, they may have been amended or removed if the strata corporation has filed bylaw amendments in the Land Title Office. Please check all filed bylaw amendments to determine whether and how the Standard Bylaws may have been amended.

October, 2000.

1. What is Unit Entitlement?

Unit entitlement is a number assigned to each strata lot that determines:

- the share of common property and assets belonging to each strata lot; and
- the share of strata corporation expenses and liabilities of each strata lot owner.

2. Where Do I Find My Unit Entitlement?

A Schedule of Unit Entitlement for all strata lots is filed in the Land Title Office in:

- Form V, if the strata plan was filed on or after July 1, 2000; and
- Form 1, if the strata plan was filed before July 1, 2000.

3. **How Is Unit Entitlement Calculated?**

When filing the strata plan under the Act, the Owner Developer will create a Schedule of Unit Entitlement as follows:

- residential building strata lots:
 - a whole number based on habitable area in square metres;
 - a whole number that is the same for all residential strata lots; or
 - some other number approved by the Superintendent of Real Estate that is equitable.
- non-residential building strata lots:
 - a whole number based on area in square metres;
 - a whole number that is the same for all non-residential strata lots; or
 - some other number approved by the Superintendent of Real Estate that is equitable.
- bareland strata lots:
 - a whole number that is the same for all lots; or
 - some other number approved by the Superintendent of Real Estate that is equitable.
- mixed use building strata lots:
 - a number approved by the Superintendent of Real Estate that is equitable.

The Regulations define habitable area as “the area of a residential strata lot which can be lived in, but does not include patios, balconies, garages, parking stalls or storage areas other than closet space”.

4. **How Do I Change Unit Entitlement?**

There are three methods of changing unit entitlement:

- Land Title Office remedy in the case of error:
 - if there was an error made in measuring the strata lots, the registrar of the Land Title Office can be asked to correct it; and
 - the registrar of the Land Title Office will then decide whether the error should be corrected.

- court remedy:
 - if the Schedule of Unit Entitlement does not match the area or habitable area of the strata lots and unit entitlement is based on area or habitable area, a person may apply to Supreme Court to have the unit entitlement changed to reflect the correct area or habitable area;
 - this remedy is only available if the difference between the existing unit entitlement and the correct unit entitlement is at least 10% or 20 square meters.
- changing habitable area with a unanimous resolution:
 - owners who increase their habitable area, must also alter their unit entitlement:
 - ◆ if the unit entitlement is based on habitable area; and
 - ◆ if the increase in habitable area combined with previous changes, is at least 10% or 20 square meters;

by doing the following:

- obtaining a unanimous resolution to change the habitable area and unit entitlement;
- creating a new Schedule of Unit Entitlement in accordance with the unanimous resolution;
- making an application to the Land Title Office to amend the unit entitlement, which requires the submission of the following documents:
 - ◆ the new Schedule of Unit Entitlement:
 - must be signed by the Superintendent of Real Estate, if necessary; and
 - must meet the other technical requirements of the Act.
 - ◆ a Certificate of the Strata Corporation acknowledging:
 - that the unanimous resolution has been passed; and
 - that the new Schedule of Unit Entitlement conforms to the resolution.

5. **Changing Habitable Area Without Changing Unit Entitlement**

Owners can change the habitable area of their strata lot without altering the Schedule of Unit Entitlement, in the following two circumstances provided that they obtain prior written approval from the strata council to make the change:

- where habitable area is decreased; or

- where habitable area is increased, and the increase is under 10% and 20 square meters.

6. **Changing Strata Fees Without Changing Unit Entitlement**

A strata corporation can choose to calculate each strata lot's share of strata fees using a formula other than unit entitlement, by passing a unanimous resolution at an annual or special general meeting.

References:

Sections of the Act: 1, 70, 100, 246, 261

Sections of the Regulations: 5.1, 14.2, 14.3, 14.12, 14.13