



Strata Property Act Filing

NEW WESTMINSTER LAND TITLE OFFICE

MAR 01 2023 12:58:32.001

CB498330

1. Contact

Document Fees: \$30.53

**Steadfast Properties Ltd.
A-42375 Yarrow Central Road
Chilliwack BC V2R 0K1
(604) 864-6400**

2. Identification of Attached Strata Property Act Form or Other Supporting Document

Application Type

LTO Document Reference

Form-I Amendment to Bylaws

3. Description of Land

PID/Plan Number

Legal Description

NWS1737

THE OWNERS STRATA PLAN NWS1737

Electronic Signature

Your electronic signature is a representation that you are a designate authorized to certify this application under section 168.4 of the *Land Title Act*, RSBC 1996, c.250, that you certify this application under section 168.43(3) and that the supporting document is in your possession.

**Stephen Frederick
Graf 9GUZXX**

**Digitally signed by
Stephen Frederick Graf
9GUZXX**

**Date: 2023-03-01
12:27:29 -08:00**

Strata Property Act

Form I

AMENDMENT TO BYLAWS

(Section 128)

The Owner, NWS 1737 certify that the following or attached amendments to the bylaws of the strata corporation were approved by a resolution passed in accordance with section 128 of the *Strata Property Act* at an annual or special general meeting held on February 28, 2023.

Please see attached.



Signature of Council Member



Signature of Second Council Member (not required if council consist of only one member)

RESOLUTION A

WHEREAS the Strata Corporation proposes to amend its rental bylaws.

BE IT RESOLVED by a ¾ vote that:

The existing bylaws of the Strata Corporation be amended by:

repealing Bylaw 10 in its entirety and replacing it with the following:

10. Rentals

Within two weeks after renting all or part of a strata lot, an owner must provide the strata corporation with a copy of the Form K – Notice of Tenant's Responsibilities signed by the tenant.

repealing Bylaw 31(4)(b), and re-numbering Bylaw 31(4)(c) accordingly.

The Strata Council is directed to register the amendments set out in this Resolution in the Land Title Office. Any two members of the Strata Council may execute any documents required to register the amendments.

RESOLUTION B

WHEREAS the Strata Corporation proposes to amend the bylaws to prohibit short-term and vacation rentals.

BE IT RESOLVED by a ¾ vote that:

1. The existing bylaws of the Strata Corporation be amended by:

repealing existing Bylaw 37(1), and replacing it with Bylaw 37(1), as set out in Schedule B-1; and

repealing existing Bylaw 38, and replacing it with Bylaw 38 as set out in Schedule B-1; and

adding new Bylaw 48, as set out in Schedule B-2.

PLEASE SEE SCHEDULES B1 & B2 ATTACHED

2. The Strata Council is directed to register the amendments set out in this Resolution in the Land Title Office. Any two members of the Strata Council may execute any documents required to register the amendments.

15. Election of Council:

16. Termination of Meeting:

Page 2 of 2

Steadfast Properties Ltd.
A- 42375 Yarrow Central Road, Chilliwack, BC V2R 0K1
Phone -- 604-864-6400 -- Fax -- 604-864-6484

SCHEDULE B-1

37. **Maximum fine**

- (1) The strata corporation may fine an owner or tenant a maximum of:
 - (a) \$1,000 for the contravention of Bylaw 48;
 - (b) \$200 for the contravention of any other bylaw; and
 - (c) \$50 for the contravention of a rule.

38. **Continuing contravention**

- (1) If an activity or lack of activity that constitutes a contravention of a bylaw or rule continues, the strata corporation may impose fines as follows:
 - (a) for the breach of Bylaw 48, on dally basis; and
 - (b) for a breach of any other bylaw, every 7 days.

Schedule B-2

48. **Restriction on use of strata lots**

- (1) No owner, tenant or occupant will for any reason grant a license to any person to occupy a strata lot for the purpose of short term accommodations, temporary accommodations, or vacation rentals. Without limiting the generality of the foregoing, no owner, tenant or occupant will license a strata lot under any of the following arrangements:
- (a) as a motel, hotel, inn, hostel, or bed and breakfast, or other similar accommodations;
 - (b) as a boarding house, home stay, or student housing;
 - (c) through any website designed for booking short term accommodations, temporary accommodations or vacation rentals, including but not limited to www.Airbnb.com, www.vrbo.com and other similar websites;
 - (d) through any app designed for booking short term accommodations, temporary accommodations or vacation rentals;
 - (e) through any other person, agency, or organization which makes arrangements for, or which itself reserves, short term accommodations, temporary accommodations, or vacation rentals; or
 - (f) at a nightly or weekly rate.



Strata Property Act Filing

NEW WESTMINSTER LAND TITLE OFFICE

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1. Contact

**Steadfast Properties Ltd.
A-42375 Yarrow Central Road
Chilliwack BC V2R 0K1
(604) 864-6400**

2. Identification of Attached Strata Property Act Form or Other Supporting Document

Application Type

LTO Document Reference

Form-I Amendment to Bylaws

3. Description of Land

PID/Plan Number

Legal Description

NWS1737

THE OWNERS STRATA PLAN NW1737

Electronic Signature

Your electronic signature is a representation that you are a designate authorized to certify this application under section 168.4 of the *Land Title Act*, RSBC 1996, c.250, that you certify this application under section 168.43(3) and that the supporting document is in your possession.

**Stephen Frederick
Graf 9GUZXX**
Digitally signed by
**Stephen Frederick Graf
9GUZXX**
Date: 2022-02-23
12:08:00 -08:00

Strata Property Act

Form I

AMENDMENT TO BYLAWS

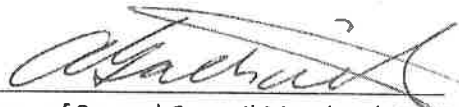
(Section 128)

The Owner, **NWS 1737** certify that the following or attached amendments to the bylaws of the strata corporation were approved by a resolution passed in accordance with section 128 of the **Strata Property Act** at an annual or special general meeting held on **February 22, 2022.**

Please see attached.



Signature of Council Member



Signature of Second Council Member (not required if council consist of only one member)

THE OWNERS, STRATA PLAN NWS 1737

Bylaw Amendment Resolution

WHEREAS The Owners, Strata Plan NWS 1737 (the "Strata Corporation") wishes to amend its bylaws;

BE IT RESOLVED by a 3/4 vote of the owners within the Strata Corporation that:

1. The bylaws of the Strata Corporation are amended as follows:

(a) By repealing bylaw 42 and the amendment to the voting bylaw filed in 2017 and replacing it with the following:

Electronic Attendance and Voting

- 42** (1) Attendance by persons at an annual or special general meeting may be by telephone or other electronic means if such method permits all persons participating in the meeting to communicate with each other during the meeting.
- (2) Proxy holders who attend electronically must submit the signed proxy to the strata corporation for certification as required by the council.
- (3) At an annual or special general meeting, voting cards must be issued to the eligible voters other than those attending electronically.
- (4) At an annual or special general meeting, a vote is decided in respect of:
- (i) those attending in person by:
 - (A) show of voting card;
 - (B) ballot;
 - (C) roll call, or some other method as decided by the chair.
 - (ii) those attending electronically by:
 - (A) verbal communication; or
 - (B) email or text if permitted by the chair.
- (5) If a precise count is requested, the chair must decide whether it will be by show of voting cards, by roll call, secret ballot or some other communication method, as appropriate for those attending electronically.
- (6) The outcome of each vote, including the number of votes for and against the resolution if a precise count is requested, must be announced by the chair and recorded in the minutes of the meeting.
- (7) If there is a tie vote at an annual or special general meeting, the president, or, if the president is absent or unable or unwilling to vote, the vice president, may break the tie by casting a second, deciding vote.
- (8) Despite anything in this section, an election of council or any other vote must be held by secret ballot, if the secret ballot is requested by an eligible voter, except that those attending electronically may be required to verbally communicate, email, or text their vote.
- (9) An owner will not be entitled to vote at a general meeting except on matters requiring an 80% vote or unanimous vote if the Strata Corporation is entitled to register a lien against the strata lot under section 116 of the Act.

1. The Strata Council of the Strata Corporation (the "Strata Council") take all such further actions to register the bylaw amendments with the Land Title Office, including but not limited to filing a Form 1, Amendment to Bylaws.

Any two members of the Strata Council execute such documents as are required to register the bylaw amendments in the Land Title Office on behalf of the Strata Corporation.

{HC-52944-01658829;1}

Mar-08-2018 13:35:59.001

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STRATA PROPERTY ACT FILING
PROVINCE OF BRITISH COLUMBIA

PAGE 1 OF 3 PAGES

- Your electronic signature is a representation by you that:
 - you are a subscriber; and
 - you have incorporated your electronic signature into
 - this electronic application, and
 - the imaged copy of each supporting document attached to this electronic application,

Garry Gracey
KD2L2Cc=CA, cn=Garry Gracey
KD2L2C, o=Notary,
ou=Verify ID at
www.juricert.com/
LKUP.cfm?id=KD2L2Cand have done so in accordance with Sections 168.3 and 168.41(4) of the *Land Title Act*, RSBC 1996, C.250.

- Your electronic signature is a declaration by you under Section 168.41 of the *Land Title Act* in respect of each supporting document required in conjunction with this electronic application that:
 - the supporting document is identified in the imaged copy of it attached to this electronic application;
 - the original of the supporting document is in your possession; and
 - the material facts of the supporting document are set out in the imaged copy of it attached to this electronic application.

Each term used in the representation and declaration set out above is to be given the meaning ascribed to it in Part 10.1 of the *Land Title Act*.

1. CONTACT: (Name, address, phone number)

Steadfast Properties

A-42375 Yarrow Central Road

604-864-6400

File: eVERGREEN VILLAGE NW1737

Chilliwack

BC V2S 0K1

Document Fees: \$28.63

Deduct LTSA Fees? Yes

2. IDENTIFICATION OF ATTACHED STRATA PROPERTY ACT FORM OR OTHER SUPPORTING DOCUMENT:

Form-I Amendment to Bylaws

LTO Document Reference:

3. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:

[PID]

[LEGAL DESCRIPTION]

NO PID NMBR THE OWNERS, STRATA PLAN NWS1737Related Plan Number: **NWS1737**

Strata Property Act

Form I

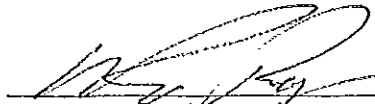
AMENDMENT TO BYLAWS

(Section 128)

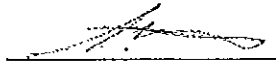
The Owner, NW 1737 certify that the following or attached amendments to the bylaws of the strata corporation were approved by a resolution passed in accordance with section 128 of the *Strata Property Act* at an annual or special general meeting held on February 27, 2018.

Please see attached.

Alteration Bylaw amendment


Signature of Council Member

PRESIDENT


Signature of Second Council Member (not required if council consist of only one member)

VICE PRESIDENT

Alteration to strata lot or common property

17 (9)

- (a) Floor coverings in the interior of any strata lot shall not be replaced with less resilient covering than the pre-existing covering without the prior written consent of the Strata Council. For the purpose of this clause ceramic tile, marble or similar material shall be considered less resilient than vinyl tile, hardwood flooring or similar material which shall be considered less resilient than carpeting, carpeting & underlay or the like.
- (b) Where hard floor coverings are permitted and where they are located in a strata lot that is above another strata lot, the floor covering must be installed using a resilient underlay which has a laboratory tested rating of Impact Insulation Class (IIC) of 70 or higher when tested on a similar floor structure.
- (c) The floor covering must "float" on the isolated underlay with no fasteners or other bridging through to the structure.

17 (10)

Owners on lower floors of A and C buildings need to consider the consequences of altering the ceiling of their units during renovations. This includes structural or insulation changes and the installation of ceiling fixtures such as pot lights and the like.

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STRATA PROPERTY ACT FILING
PROVINCE OF BRITISH COLUMBIA

PAGE 1 OF 24 PAGES

- Your electronic signature is a representation by you that:
 - you are a subscriber; and
 - you have incorporated your electronic signature into
 - this electronic application, and
 - the imaged copy of each supporting document attached to this electronic application,
 and have done so in accordance with Sections 168.3 and 168.41(4) of the *Land Title Act*, RSBC 1996, C.250.
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Garry Gracey
KD2L2Cc=CA, cn=Garry Gracey
KD2L2C, o=Notary,
ou=Verify ID at
www.juricert.com/
LKUP.cfm?id=KD2L2C

1. CONTACT: (Name, address, phone number)

Steadfast Properties Ltd.

1A - 33820 South Fraser Way

604-864-6400

File: NW1737

Abbotsford

BC V2S 2C5

Document Fees: \$28.63

Deduct LTSA Fees? Yes

2. IDENTIFICATION OF ATTACHED STRATA PROPERTY ACT FORM OR OTHER SUPPORTING DOCUMENT:

Form-I Amendment to Bylaws

LTO Document Reference:

3. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:

[PID]

[LEGAL DESCRIPTION]

NO PID NMBR THE OWNERS STRATA PLAN NW1737Related Plan Number: **NWS1737**

Division 9 – Privacy

Privacy

- 47 (1) The strata corporation is authorized to install three video surveillance cameras which will operate 24 hours per day, seven days per week overlooking the back lot, the garden park fence and RV parking lot and the north and south garage entrances for the purpose of recording the activities of owners, tenants, occupants, visitors and members of the general public in order to identify and provide evidence in relation to persons who may be responsible for causing damage or loss or committing criminal activities, or, subject to subsection (2) bylaw breaches.
- (2) In respect of bylaw breaches, the recordings will not be used to attempt to identify if a bylaw breach has occurred; the recordings will only be used to identify parties after a complaint regarding a bylaw breach has been received.
- (3) Signs indicating the presence and purpose of video surveillance cameras will be posted in all areas subject to video surveillance.
- (4) Additionally the strata corporation collects data with respect to the usage of each security FOB used to enter the garage.
- (5) The video surveillance recordings and garage FOB usage will be maintained on a computer/central recording system located in the strata corporation office which will remain locked at all times and will be password protected.
- (6) The video surveillance recordings will be retained for 15 days after which they will be deleted except where the council decides to preserve recordings from a specific incident or series of incidents and that decision, including the length of time that the recordings will be preserved, is recorded in the council meeting minutes or the recording contains information relevant to a matter as described in subsection (1), in which case the recording will be retained until the matter is resolved and all appeal periods, if applicable, have expired.
- (7) The garage FOB usage records will be retained indefinitely.
- (8) The video recordings/garage FOB usage records may be accessed or disclosed only under the following circumstances:
- (a) by the council members;
 - (b) pursuant to a Court order, warrant or equivalent authorization in accordance with the terms of the authorizing document;
 - (c) to any person, as determined by majority vote of the council, if, the disclosure is consistent with the purpose as set out in subsection (1);
 - (d) to a resident or visitor who may only request access to view a video recording which contains images of the person making the request provided that permission of any other person(s) present in the recording is obtained and provided that the request is presented within 2 weeks of the image being recorded, in which case, the recording will be retained for 15 days in order to

permit viewing, unless a longer time period has been agreed between the person requesting the viewing and the council; and

- (e) to any person, as determined by majority vote of the council, if, the disclosure is in the best interest of the strata corporation or any resident or visitor or is permitted by law.

(9) In installing and/or maintaining the systems described herein, the strata corporation makes no representation or guarantees that any of the systems will be fully operational at all times. The strata corporation is not responsible or liable to any resident or visitor in any capacity (including a failure to maintain, repair, replace, locate or monitor any of the systems, whether arising from negligence or otherwise) for personal security or personal property in any area monitored by any of the systems.

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STRATA PROPERTY ACT FILING
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PAGE 1 OF 24 PAGES

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Steadfast Properties Ltd.

1A - 33820 South Fraser Way

604-864-6400

File: NW1737

Abbotsford

BC V2S 2C5

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[PID]

[LEGAL DESCRIPTION]

NO PID NMBR THE OWNERS STRATA PLAN NW1737Related Plan Number: **NWS1737**

CA 5864975

Strata Property Act
FORM I
AMENDMENT TO BYLAWS
(Section 128)

Evergreen

The Owners, Strata Plan NW 1737
(the registration number of the strata plan)

certify that the following or attached amendments to the bylaws of the strata corporation were approved by a resolution passed in accordance with section 128 of the *Strata Property Act* at an annual or special general meeting held on February 28, 2017 * :
(month day, year)

[wording of bylaw amendment]

The Owners, Strata Plan NW1737 certify that the following or attached amendments to the
bylaws of the strata corporation were approved by a resolution passed in accordance with
section 128 of the Strata Property Act at an annual general meeting held on February 28, 2017.
PLEASE SEE ATTACHED
FILING A NEW SET OF BYLAWS

[Signature]

Signature of Council Member

Lenora Schroeder

Signature of second Council Member
(not required if council consists of only one member)

* Section 128 (3) of the Act provides that an Amendment to Bylaws must be filed in the land title office within 60 days of the amendment being approved.

BYLAWS
for
EVERGREEN VILLAGE

STRATA CORPORATION

N.W. 1737

February 2015

**STRATA PLAN NW 1737
EVERGREEN VILLAGE
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**STRATA PLAN NW 1737
EVERGREEN VILLAGE
BYLAWS**

Division 1 – Duties of Owners, Tenants, Occupants and Visitors

Payment of strata fees

- 1 (1) An owner must pay strata fees or parking fees on or before the first day of the month to which the strata fees or parking relate.
- (2) If an owner fails to pay strata fees or a special levy when due, the strata corporation may charge interest at the rate of 10% per annum compounded annually.
- (3) If any payment to the strata corporation by cheque or electronic funds transfer is reversed due to insufficient funds, all bank charges, fees and/or service costs associated with the return payment may be charged back to that owner.
- (4) If the strata corporation incurs legal or other costs in order to collect strata fees or special levies in relation to a strata lot, the owner of the strata lot will be responsible to reimburse the strata corporation for the full amount of the costs incurred by the strata corporation.
- (5) Additional assessments, fines authorized by these bylaws, banking charges, filing costs, legal expenses, interest charges and any other expenses incurred by the strata corporation to enforce these bylaws shall become part of the assessment of the owners and shall become due and payable on the first day of the next month following, except that any amount owing other than strata fees, special levies, reimbursement of the cost of work ordered by a public or local authority, or the strata lot's share of a judgment will be calculated as a separate component of such assessment and the strata corporation may not register a lien on behalf of such separate component.

Repair and maintenance of property by owner

- 2 (1) An owner must repair and maintain the owner's strata lot, except for repair and maintenance that is the responsibility of the strata corporation under these bylaws.
- (2) An owner who has the use of limited common property must repair and maintain it, except for repair and maintenance that is the responsibility of the strata corporation under these bylaws.

Use of property

- 3 (1) An owner, tenant, occupant or visitor must not use a strata lot, the common property or common assets in a way that:
 - (a) causes a nuisance or hazard to another person,
 - (b) causes unreasonable noise,

- (c) unreasonably interferes with the rights of other persons to use and enjoy the common property, common assets or another strata lot,
 - (d) is illegal,
 - (e) is contrary to a purpose for which the strata lot or common property is intended as shown expressly or by necessary implication on or by the strata plan,
 - (f) permits rubbish to accumulate on the common property near his/her strata lot or allows a strata lot to become unsanitary or a source of odour,
 - (g) increases the risk of fire, invalidates any insurance or increases the rate of insurance for the whole or any part of the property,
 - (h) permits any members of his/her household or guests to trespass on any property which another owner is entitled to use or occupy, or
 - (i) obstructs the use of hallways, sidewalks, walkways, passages, driveways, entrances or exits of the common property for any purpose other than ingress or egress from the strata lot or parking areas within the common property.
- (2) An owner, tenant, occupant or visitor must not cause damage, other than reasonable wear and tear, to the common property, common assets or those parts of a strata lot which the strata corporation must repair and maintain under these bylaws or insure under section 149 of the *Strata Property Act* (the "Act").
- (3) An owner, tenant, occupant or visitor must not shake mops, mats, dusters or table covers into a hallway.
- (4) An owner, tenant, occupant or visitor must not leave or place shopping carts, mats, scatter rugs or other miscellaneous items in hallways or use any part of the common property for storage other than established storage rooms or lockers.
- (5) An owner, tenant, occupant or visitor shall not permit a strata lot to be used other than as a single family dwelling for a maximum of 2 adults in a 1 bedroom strata lot and 3 adults in a 2 bedroom strata lot.
- (6) An owner, tenant, occupant or visitor must not use live or natural cut Christmas trees, evergreen boughs or wreaths.
- (7) An owner, tenant, occupant or visitor must not install window coverings visible from the exterior of a strata lot in a colour other than white, cream or off-white.
- (8) Solicitation is not permitted anywhere in or about the buildings or common property.
- (9) An owner, tenant, occupant or visitor must not open windows in hallways or common areas and must not block hallway doors open.
- (10) An owner, tenant or occupant must install weather stripping on doors to the hallway to prevent smoke from entering the hallway if the owner, tenant or occupant smokes or

permits smoking in the strata lot.

(11) An owner, tenant or occupant must not question or instruct contractors or trades engaged by the strata corporation.

Balconies and patios

- 4 (1) An owner, tenant or occupant of a strata lot shall not:
- (a) permit the use or storage of any liquid propane appliances inside the building, on balconies or patios including barbeques of any kind within his/her strata lot, balcony or patio,
 - (b) permit anything other than seasonal patio furniture to be placed on the balcony or patio or use the balcony or patio for storage or hanging of any items,
 - (c) keep bicycles on the balconies or patios or in hallways. Bicycles shall only be stored in the owner's storage locker or common storage areas provided by the council,
 - (d) use or install in or about a strata lot satellite dishes, shades, awnings, window or balcony guards or screens, ventilators or air conditioners without the written approval of council,
 - (e) hang or permit to be hung any clothing, bedding, laundry on the common property or within his/her strata lot that is visible from the exterior of the strata lot,
 - (f) shake any mops, dusters, table covers, mats of any kind nor sweep dust or dirt, spray water or cause water from overwatering of plants to fall from any balcony or common area,
 - (g) throw any object out of window or over a balcony railing. Trays should be placed under all plants on balconies to catch any excess water.

Garbage disposal and recycling

- 5 (1) An owner, tenant or occupant:
- (a) shall remove garbage from his/her strata lot and deposit it in the containers provided for that purpose,
 - (b) shall not throw garbage down the garbage chute before 9:00 a.m. or between 1:00 - 3:00 p.m. or after 7:00 p.m.,
 - (c) shall double-bag all garbage and tie the bag before depositing it down the garbage chute,
 - (d) shall remove any material other than ordinary household refuse from the strata property at the owner, tenant or occupant's expense, including used TVs, old broken furniture, appliances, mattresses, etc.,
 - (e) must not deposit heavy objects in the garbage chute such as paint cans or small appliances, laundry soap boxes/containers, or large items that might plug the chute included large pieces of Styrofoam. There are fire sprinkler heads in the chute which can be broken thus setting off the fire alarms. These items must be carried to the garbage bin and paint cans should be taken to the recycling depot,

- (f) shall place all items for recycling in the appropriate recycling container provided for that purpose. The following should be placed in the Blue Box recycling bin in the south garage:
 - (i) plastic milk containers – rinse and flatten, and
 - (ii) tin cans, glass bottles, newspapers, cardboard (flatten boxes), (more items on Recycling List available on the rack in the Evergreen library).

Keys

- 6 (1) An owner, tenant or occupant:
 - (a) is allowed 1 entry door key which is identified by a number,
 - (b) may obtain an additional entry key by submitting a Request Form and providing a refundable deposit of \$75 with a maximum of 3 keys per strata lot. The correctly numbered key must be returned with receipt or no refund will be given. Request forms are available at the Evergreen office,
 - (c) must transfer entry key(s) to the new strata lot owner when the suite is sold,
 - (d) must pay the cost of replacing a building entrance key or garage door opener of \$75 for each key or opener. New owners must purchase a garage door opener if the previous owner did not own one,
 - (e) must always provide a valid key to their unit door to the council for emergency purposes. All keys will be safely locked up,
 - (f) must not give any key, combinations or other means of access to the building, the parking garage or common areas to any other persons except guests, and
 - (g) who lists his/her strata lot for sale shall not provide building entry keys to the real estate agent.

Pets

- 7 (1) An owner, tenant or occupant must not keep any pets on a strata lot or common property and shall not permit a visitor to bring a pet onto common property or into a strata lot.
- (2) An owner, tenant, occupant or visitor must not feed pigeons, gulls or other birds, squirrels, rodents or other animals from a strata lot or anywhere on or in close proximity to common property or limited common property including, without limiting the generality of the foregoing, hanging bird feeders except hummingbird feeders.

Signs

- 8 No signs, billboards, placards, advertising or notices of any kind may be posted on the exterior of the building, on the common property or in a window that is visible from the exterior of the strata lot except "For-Sale" signs which may only be located as directed by the council. This bylaw shall be interpreted in a manner consistent with elections legislation.

Age restriction

- 9 (1) Every strata lot is reserved for the use of individuals 55 years of age and over. Individuals under the age of 55 years shall not reside in NW 1737.
- (2) An individual 55 years of age or older residing in a strata lot may have visitors who

are under the age of 55 years of age stay in the strata lot for up to 1 week per visitor in any twelve month period. Visits longer than 1 week by individuals under the age of 55 years may be approved by the council, such approval not to be unreasonably withheld.

(3) To determine compliance with this bylaw, the council is permitted to require that all occupants who are not a visitor as defined by subsection (2) of this bylaw, provide the strata corporation with proof of age. If all occupants other than a visitor do not provide proof of age, the owner is in breach of this bylaw which will entitle the strata corporation to take all enforcement action as permitted by section 135 of the Act, including levying a fine in the amount of \$200 every 7 days.

Rentals

10 (1) The rental of strata lots is prohibited except for those rented pursuant to a successful appeal on the basis of hardship, those rented to family members and those rented pursuant to section 143(2)(a) of the Act.

(2) An owner may apply in writing for an exemption on the grounds that this bylaw causes hardship to the owner. The application must be made in writing and must provide the reason the owner considers that an exemption should be made and must also provide whether or not the owner requires a hearing.

(3) Where the council grants an exemption to an owner to rent his/her strata lot on the grounds of hardship, the council can specify the length of time that the exemption is granted for. When permission to rent is granted on the grounds of hardship, the owner must rent his /her strata lot within 60 days or the exemption is withdrawn.

(4) Within 2 weeks after renting all or part of his or her strata lot, an owner must provide the strata corporation with a copy of the Form K – Notice of Tenant's Responsibilities signed by the tenant.

(5) A strata lot rented in accordance with this bylaw cannot subleased.

(6) Where an owner leases his/her strata lot in violation of the bylaw, the strata corporation shall levy against the owner a fine of \$500 every 7 days during the period of the rental.

(7) For the purposes of this bylaw, the terms "lease", "rent", "rents" and "rental arrangement" shall include any and all forms of tenancy or licence relating to the occupancy of a strata lot.

(8) A strata lot rented in accordance with subsections (3) or (8) cannot be subleased.

Move in/move out

11 (1) An owner, tenant or occupant must notify the strata corporation at least 7 days in advance of the date and time that the owner, tenant or occupant will be moving in or out of the strata lot.

(2) The move in/move out fees shall be \$50 each providing that the move takes no more than 4 hours. An additional fee of \$20 per hour may be assessed if a move takes longer than 4 hours.

(3) All moves in or out of Buildings A and B shall be by the loading dock entrance only. Building C moves may use the Building C entrance door. Any moves shall only take place between the hours of 8:00 a.m. and 6:00 p.m. Monday to Saturday inclusive.

Parking

12 (1) Underground and outdoor:

- (a) stalls do not come with the unit. 1 underground parking stall will be assigned by the council to new strata lot owners,
- (b) the cost for an owner, tenant or occupant to rent a parking stall is \$10 per month,
- (c) underground parking will be restricted to 1 parking stall per newly purchased unit. If the owner, tenant or occupant has more than 1 vehicle, a numbered parking stall will be provided outside, if available, maximum 1 vehicle only per unit for a charge of \$10 per month,
- (d) underground/outdoor parking stalls may be rented by registered strata lot owners only,
- (e) an owner, tenant or occupant of a strata lot who has the right to use a specific parking stall may only park in that stall, a validly insured motor vehicle owned by such owner, tenant or occupant,
- (f) any strata lot owner, tenant or occupant who has been given written approval by the council, to have an unlicensed vehicle in the underground/outdoor parking area must have valid vehicle storage insurance at all times. A photocopy of the insurance policy must be provided to the council office. A copy of the policy should not be displayed on the windshield.
- (g) owners shall not exchange stalls unless written approval is given by the council,
- (h) when an owner purchases a new vehicle, he/she must provide the council with an updated description and license plate number,
- (i) if parking spaces are needed in the underground parkade, then the lottery system will be used to determine who has to give up the second parking stall,
- (j) residents must not store items in the vehicle parking stall,
- (k) vehicles must not display a "For Sale" sign or be offered for sale while on common property,
- (l) extreme caution must be used when driving in the underground parking areas and lights must be turned on,
- (m) garage door openers must be transferred to new strata lot owners when the unit is sold,
- (n) after driving through the gate, the owner, tenant or occupant must wait for the gate to close before proceeding,

- (o) an owner, tenant, occupant or visitor shall not repair, adjust or modify any vehicle on the common property,
 - (p) commercial or recreation vehicles may not be permanently or regularly stored or parked in the underground/outdoor parking stalls, and
 - (q) owners, tenants or occupants should not attempt to activate the garage door while it is in motion.
- (2) Recreational vehicles:
- (a) the cost for a strata lot owner to rent a RV parking stall is \$15 per month,
 - (b) if not fully licensed, vehicle storage insurance must be obtained and a photocopy of the insurance policy must be provided to the council office,
 - (c) owners shall not exchange stalls without written approval of the council. All requests of this nature must be made in writing to the council,
 - (d) RVs, boats and trailers parked on the lot must belong to the owner and cannot be stored for any non owners,
 - (e) RV parking will be restricted to 1 stall per newly purchased unit. Owners cannot pay for an empty stall to hold for future use,
 - (f) RVs, boats and trailers must not display a "For Sale" sign or be offered for sale while on common property, and
 - (g) Owners may only plug RVs into common area outlet for a maximum of 48 hours at a charge of \$1/day with the prior approval of the council. No owner may unplug another owner's RV.

Open houses

- 13 At open houses, the owner or agent must meet purchasers at the entrance to the building and must accompany them at all times while on common property and escort them out of the building.

Inform strata corporation

- 14 (1) Within 2 weeks of becoming an owner, an owner must inform the strata corporation of the owner's name, strata lot number and mailing address outside the strata plan, if any.
- (2) On request by the strata corporation, a tenant must inform the strata corporation of his or her name.
- (3) Owners, tenants and occupants must provide the strata corporation with the name and contact information of an emergency contact and must update such information as necessary.
- (4) If an owner, tenant or occupant will be away for an extended period of time, the water to the strata lot must be shut off and the owner, tenant or occupant must authorize someone to check on the strata lot every 7 days. The name and contact information of the person checking the strata lot must be provided to the strata corporation.

Obtain approval before altering a strata lot

- 15 (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:

- (a) the structure of a building,
- (b) the exterior of a building,
- (c) chimneys, stairs, balconies or other things attached to the exterior of a building,
- (d) doors, windows or skylights on the exterior of a building, or that front on the common property,
- (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, and
- (h) the installation of hard surface flooring.

(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.

Obtain approval before altering common property

16 (1) An owner must obtain the written approval of the strata corporation before making an alteration to common property, including limited common property, or common assets.

(2) The strata corporation 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) An owner, tenant, occupant or visitor shall not do or permit anything to be done that may cause damage to trees, plants, bushes, flowers or lawns on the common property and shall not place any chairs, tables or other similar objects on the common property, lawns or grounds that may damage them or hinder their growth or interfere with the mowing of lawns or the general maintenance of the grounds.

Alteration to strata lot or common property

17 (1) Owners who undertake alterations in accordance with bylaws 15 and 16 must:

- (a) apply to the council in writing using the Renovation Form and submit detailed plans and a description of the intended alterations,
- (b) obtain all applicable permits, licenses and approvals and submit copies to the council,
- (c) be responsible for all costs involved in altering the strata lot or common property,
- (d) ensure all alterations are carried out in accordance with the design approved by the council or its duly authorized representatives,
- (e) ensure that the standard of quality of work and materials of the alteration shall be no less than the existing structures, and
- (f) ensure that work on the intended alteration occurs only between the hours of 8:00 a.m. and 9:00 p.m. Monday to Saturday.

(2) Any alteration to a strata lot or to common property that has not received the prior written approval of either the council must be removed at the owner's expense if the council orders that the alteration be removed.

(3) Owners who undertake alterations in accordance with these bylaws, and subsequent owners, are responsible for carrying out the maintenance and repair of the alterations and for all costs relating to:

- (a) the maintenance and repair including replacement of the alterations,
- (b) the effects on all adjacent strata lots or common property, and
- (c) the effects of rain and weathering, staining, discoloration.

(4) Owners who undertake alterations to a strata lot and common property including limited common property are responsible for and must indemnify the strata corporation for any damage suffered or costs incurred by the strata corporation or attributable to the alteration.

(5) The council may maintain, repair or remove alterations to common property if in the opinion of council:

- (a) the alterations are not maintained or repaired, or
- (b) the alterations are damaged.

All costs incurred in the maintenance, repair and/or removal will be charged to the owner of the strata lot and are the owner's responsibility.

(6) On the sale of the strata lot, an owner must include all obligations and costs that may be applied relating to alterations in any agreement of sale. If the subsequent owner refuses to sign an Alteration Agreement with the strata corporation the alteration may be removed by the council and the cost of the removal will be charged to the new owner.

(7) To remove an approved alteration or attachment, an owner must negotiate the terms of removal with the council.

(8) The council reserves the right to require, or have the owner provide, specified professional supervision or inspection, or both, of approved alterations. The council may include specified supervision or inspection as a requirement of approval.

Permit entry to strata lot

18 (1) An owner, tenant, occupant or visitor must allow a person authorized by the strata corporation to enter the strata lot:

- (a) in an emergency, without notice, to ensure safety or prevent significant loss or damage, and
- (b) at a reasonable time, on 48 hours' written notice, to inspect, repair or maintain common property, common assets and any portions of a strata lot that are the responsibility of the strata corporation to repair and maintain under these bylaws or insure under section 149 of the Act.

- (2) The notice referred to in subsection (1)(b) must include the date and approximate time of entry, and the reason for entry.
- (3) An owner, tenant or occupant must provide the strata corporation with a duplicate key for entry into a strata lot.
- (4) Notwithstanding subsection (1), the strata corporation will enter a strata lot without permission in the event of an emergency. In the event of an emergency, the strata lot will be entered by 2 persons and a written report will be left in the strata lot in order to inform the owner, tenant or occupant of the date and purpose of the entry.

Indemnification and insurance

- 19 (1) An owner must obtain insurance on their possessions and must maintain liability and deductible insurance.
- (2) An owner shall indemnify and save harmless the strata corporation from the expense of any maintenance, repair or replacement rendered necessary to a strata lot, common property or limited common property or common assets or from liability for which the owner, any member of his or her family or tenant or their guests, servants, agents and invitees is responsible but only to the extent that such expense is not met by the proceeds of insurance carried by the strata corporation.
- (3) In the event that loss or damage occurs to common property, limited common property, common assets or any strata lot gives rise to a valid claim under the strata corporation's insurance policy, the owner shall reimburse the strata corporation for the deductible portion of the insurance claim if the owner is responsible for the loss or damage that gave rise to the claim.
- (4) Where an owner, tenant, occupant or visitor does or permits anything to be done that is illegal or for any reason invalidates the strata corporation's insurance, the owner must indemnify and save harmless the strata corporation from the expense of any maintenance, repair or replacement of any damage to the common property, limited common property, common assets or strata lots.
- (5) For the purpose of this bylaw, any costs for which a strata lot owner is responsible shall be considered as an expense chargeable to the owner and shall be added to and become part of the assessment of that owner for the month next following the date on which the expense was incurred and shall become due and payable on the date of payment of the monthly assessment.
- (6) An owner who fails to pay the cost of repair or remedying the loss or damage when due shall reimburse the strata corporation and save it harmless against any and all costs and expenses required to collect such reimbursement, whether by Court action or other means.

Security

- 20 (1) No owner, occupant, tenant or visitor shall leave open or unlocked any outside entrance door or escape for the purpose of moving into or out of a strata lot or otherwise, unless he/she is in constant supervision of that entrance.
- (2) No owner, occupant, tenant or visitor shall permit another person, include trades or delivery people, entrance into the building when entering or exiting themselves. Entrance door(s) must not be opened for anyone except your own visitors or other residents that you know. All owners and occupants are responsible for the security of the building and no one, including guests or service people, shall provide entry to any individual not known to them.
- (3) When an owner or occupant is called through the enterphone, he/she must verify who is calling before admitting the caller into the building. It is advisable to go to the entrance door when someone claims to be delivering a parcel or makes other claims.
- (4) Owners are responsible to ensure that all doors are securely closed after entry into or exit from the building. All common area and entrance doors must be securely closed after passing through them. Visitors must go directly to and from units. Be sure to give your unit number when guests call you from the entrance door. All residents share the responsibility for questioning any stranger.
- (5) Owners, tenants or occupants must not leave their garage door opener in their vehicles when they are unattended.
- (6) Owners are expected to report any suspicious activity within the building to any member of the council. Security issues must be reported immediately by phone to the president, vice president or maintenance person on the council. Depending on the nature of the security issue and the urgency, 911 may also need to be called.
- (7) Any owner wishing to install a private alarm system in his/her strata lot must request and obtain written permission from the council before installation takes place. Permission will be granted subject to the following provisions:
 - (a) that the alarm will not be audible for longer than 5 minutes,
 - (b) that all costs to purchase, install and maintain the alarm will be borne by the strata lot owner, present and future, and
 - (c) that the owner must provide the council with the necessary information to have the alarm turned off in the event it is activated and the owner is not available (i.e. names and phone numbers of people who have the alarm code, name of monitoring company, etc.).

Division 2 - Powers and Duties of Strata Corporation

Repair and maintenance of property by strata corporation

- 21 The strata corporation must repair and maintain all of the following:
- (a) common assets of the strata corporation,
 - (b) common property that has not been designated as limited common property,
 - (c) limited common property, but the duty to repair and maintain it is restricted to:
 - (i) repair and maintenance that in the ordinary course of events occurs less often than once a year, and
 - (ii) the following, no matter how often the repair or maintenance ordinarily occurs:
 - (A) the structure of a building,
 - (B) the exterior of a building,
 - (C) chimneys, stairs, balconies and other things attached to the exterior of a building,
 - (D) doors, windows and skylights on the exterior of a building or that front on the common property,
 - (E) fences, railings and similar structures that enclose patios, balconies and yards,
 - (d) a strata lot, but the duty to repair and maintain it is restricted to:
 - (i) the structure of a building,
 - (ii) the exterior of a building,
 - (iii) chimneys, stairs, balconies and other things attached to the exterior of a building,
 - (iv) doors, windows and skylights on the exterior of a building or that front on the common property, and
 - (v) fences, railings and similar structures that enclose patios, balconies and yards.

Workmanship of repairs

- 22 In the event that the strata corporation's workmen are required to enter a strata lot for the purpose of repairing or maintaining common property or a strata lot, the strata corporation shall ensure that the repairs or maintenance are carried out in a workmanlike manner and the strata corporation shall repair any damage to the strata lot occasioned by such works and restore the strata lot to its former state.

Owner's claim of loss not permitted

- 23 No owner, occupant or tenant shall be entitled to claim any compensation from the strata corporation for any loss or damage to any property as a result of any defect of material or lack of timely repair or maintenance of the common property or strata lot or any part thereof, unless such loss or damage results from the negligent act of the strata corporation, its servants or its agents.

Division 3 - Council

Council size

- 24 (1) The council must have at least 5 and not more than 7 members.
- (2) An owner will not be entitled to be elected to council or continue to stand on council if the strata corporation is entitled to register a lien against that strata lot under section 116 of the Act.

Council members' terms

- 25 (1) The term of office of a council member shall be for 2 years and it shall end at the end of the annual general meeting at which his/her successor is elected.
- (2) The council members' terms shall be staggered in such a way that 4 council members are elected at each annual general meeting held in an "even" year, and 3 council members will be elected at each annual general meeting held in an "odd" year.
- (3) A person whose term as council member is ending is eligible for reelection.

Removing council member

- 26 (1) The strata corporation may, by a resolution passed by a 3/4 vote at an annual or special general meeting, remove 1 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.

Replacing council member

- 27 (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 20% of the strata corporation's votes may hold a special general meeting to elect a new council by complying with the provisions of the Act, the regulations and the bylaws respecting the calling and holding of meetings.

Officers

- 28 (1) At the first meeting of the council held after each annual general meeting of the strata corporation, the council must elect, from among its members, a president, a vice

president, a secretary and a treasurer.

- (2) A person may hold more than 1 office at a time, other than the offices of president and vice president.
- (3) The vice president has the powers and duties of the president
 - (a) while the president is absent or is unwilling or unable to act, or
 - (b) for the remainder of the president's term if the president ceases to hold office.
- (4) If an officer other than the president is unwilling or unable to act for a period of 2 or more months, the council members may appoint a replacement officer from among themselves for the remainder of the term.

Calling council meetings

- 29 (1) Any council member may call a council meeting by giving the other council members at least 1 week's notice of the meeting, specifying the reason for calling the meeting.
 - (2) The notice does not have to be in writing.
 - (3) A council meeting may be held on less than 1 week's notice if:
 - (a) all council members consent in advance of the meeting, or
 - (b) the meeting is required to deal with an emergency situation, and all council members either:
 - (i) consent in advance of the meeting, or
 - (ii) are unavailable to provide consent after reasonable attempts to contact them.
 - (4) The council must inform owners about a council meeting as soon as feasible.

Quorum of council

- 30 (1) A quorum of the council is:
 - (a) 1, if the council consists of 1 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.

Council meetings

- 31 (1) At the option of the council, council meetings may be held by electronic means, so long as all council members and other participants can communicate with each other.
- (2) If a council meeting is held by electronic means, council members are deemed to be present in person.

- (3) Owners may attend council meetings as observers.
- (4) Despite subsection (3), no observers may attend those portions of council meetings that deal with any of the following:
 - (a) bylaw contravention hearings under section 135 of the Act,
 - (b) rental restriction bylaw exemption hearings under section 144 of the Act, and
 - (c) any other matters if the presence of observers would, in the council's opinion, unreasonably interfere with an individual's privacy.

Voting at council meetings

- 32** (1) At council meetings, decisions must be made by a majority of council members present in person at the meeting.
- (2) If there is a tie vote at a council meeting, the president may break the tie by casting a second, deciding vote.
 - (3) The results of all votes at a council meeting must be recorded in the council meeting minutes.

Council to inform owners of minutes

- 33** The council must inform owners of the minutes of all council meetings within 2 weeks of the meeting, whether or not the minutes have been approved.

Delegation of council's powers and duties

- 34** (1) Subject to subsections (2) to (4), the council may delegate some or all of its powers and duties to 1 or more council members or persons who are not members of the council, and may revoke the delegation.
- (2) The council may delegate its spending powers or duties, but only by a resolution that:
 - (a) delegates the authority to make an expenditure of a specific amount for a specific purpose, or
 - (b) delegates the general authority to make expenditures in accordance with subsection (3).
 - (3) A delegation of a general authority to make expenditures must:
 - (a) set a maximum amount that may be spent, and
 - (b) indicate the purposes for which, or the conditions under which, the money may be spent.
 - (4) The council may not delegate its powers to determine, based on the facts of a particular case,
 - (a) whether a person has contravened a bylaw or rule,
 - (b) whether a person should be fined, and the amount of the fine, or

- (c) whether a person should be required to pay the reasonable costs of remedying a contravention of the bylaws or rules or denied access to a recreational facility.

Spending restrictions

- 35 (1) A person may not spend the strata corporation's money unless the person has been delegated the power to do so in accordance with these bylaws.
- (2) Despite subsection (1), a council member may spend the strata corporation's money to repair or replace common property or common assets if the repair or replacement is immediately required to ensure safety or prevent significant loss or damage.

Limitation on liability of council member

- 36 (1) A council member who acts honestly and in good faith is not personally liable because of anything done or omitted in the exercise or intended exercise of any power or the performance or intended performance of any duty of the council.
- (2) Subsection (1) does not affect a council member's liability, as an owner, for a judgment against the strata corporation.

Division 4 - Enforcement of Bylaws and Rules

Maximum fine

- 37 (1) The strata corporation may fine an owner or tenant a maximum of:
- (a) \$200 for each contravention of a bylaw by the owner or tenant, or the employees, agents, invitees or tenants of either the owner or tenant,
 - (b) \$50 for each contravention of a rule by the owner or tenant, or the employees, agents, invitees or tenants of either the owner or tenant, and
 - (c) \$500 for each contravention of a rental restriction bylaw 10.
- (2) Fines levied in accordance with these bylaws shall be added to the owner's account and are due and payable on the first day of the month following assessment.

Continuing contravention

- 38 If an activity or lack of activity that constitutes a contravention of a bylaw or rule continues, without interruption, for longer than 7 days, a fine may be imposed every 7 days.

Division 5 - Annual and Special General Meetings

Quorum

- 39 (1) Quorum for an annual or special general meeting shall be the eligible voters holding 1/3 of the strata corporation's votes present in person or by proxy.
- (2) If at the time appointed for a general meeting, a quorum is not present, the meeting

shall stand adjourned for a period of fifteen minutes whereupon:

- (a) a meeting held pursuant to section 43 is cancelled, and
- (b) a meeting held other than pursuant to section 43 shall be reconvened at the same place and the persons present in person or by proxy and entitled to vote, at any time during the meeting, shall constitute a quorum.

Person to chair meeting

40 (1) Annual and special general meetings must be chaired by the president of the council.

(2) If the president of the council is unwilling or unable to act, the meeting must be chaired by the vice president of the council.

(3) If neither the president nor the vice president of the council chairs the meeting, a chair must be elected by the eligible voters present in person or by proxy from among those persons who are present at the meeting.

Participation by other than eligible voters

41 (1) Tenants and occupants may attend annual and special general meetings, whether or not they are eligible to vote.

(2) Persons who are not eligible to vote, including tenants and occupants, may participate in the discussion at the meeting, but only if permitted to do so by the chair of the meeting.

(3) Persons who are not eligible to vote, including tenants and occupants, must leave the meeting if requested to do so by a resolution passed by a majority vote at the meeting.

Voting

42 (1) At an annual or special general meeting, voting cards must be issued to eligible voters.

(2) At an annual or special general meeting a vote is decided on a show of voting cards, unless an eligible voter requests a precise count.

(3) If a precise count is requested, the chair must decide whether it will be by show of voting cards or by roll call, secret ballot or some other method.

(4) The outcome of each vote, including the number of votes for and against the resolution if a precise count is requested, must be announced by the chair and recorded in the minutes of the meeting.

(5) If there is a tie vote at an annual or special general meeting, the president, or, if the president is absent or unable or unwilling to vote, the vice president, may break the tie by casting a second, deciding vote.

(6) Despite anything in this section, an election of council or section executive or any other vote must be held by secret ballot, if the secret ballot is requested by an eligible voter.

(7) An owner will not be entitled to vote at a general meeting except on matters requiring a unanimous vote if the strata corporation is entitled to register a lien against that strata lot under section 116 of the Act.

Order of business

- 43 The order of business at annual and special general meetings is as follows:
- (a) certify proxies and corporate representatives and issue voting cards,
 - (b) determine that there is a quorum,
 - (c) elect a person to chair the meeting, if necessary,
 - (d) present to the meeting proof of notice of meeting or waiver of notice,
 - (e) approve the agenda,
 - (f) approve minutes from the last annual or special general meeting,
 - (g) deal with unfinished business,
 - (h) receive reports of council's or section executive's, as the case may be, activities and decisions since the previous annual general meeting, including reports of committees, if the meeting is an annual general meeting,
 - (i) ratify any new rules made by the council under section 125 of the Act,
 - (j) report on insurance coverage in accordance with section 154 of the Act, if the meeting is an annual general meeting,
 - (k) approve the budget for the coming year in accordance with section 103 of the Act, if the meeting is an annual general meeting,
 - (l) deal with new business, including any matters about which notice has been given under section 45 of the Act,
 - (m) elect a council or section executive if the meeting is an annual general meeting, and
 - (n) terminate the meeting.

Division 6 - Voluntary Dispute Resolution

Voluntary dispute resolution

- 44 (1) A dispute among owners, tenants, the strata corporation or any combination of them may be referred to a dispute resolution committee by a party to the dispute if:
- (a) all the parties to the dispute consent, and
 - (b) the dispute involves the Act, the regulations, the bylaws or the rules.
- (2) If the strata corporation is a party to the dispute, then a dispute resolution committee consists of:
- (a) 1 owner or tenant of the strata corporation nominated by each of the disputing parties and 1 owner or tenant chosen to chair the committee by the persons nominated by the disputing parties, or

- (b) any number of persons consented to, or chosen by a method that is consented to, by all the disputing parties.
- (3) The dispute resolution committee must attempt to help the disputing parties to voluntarily end the dispute.

Division 7 – Severability

Severability

- 45 (1) Should any portion of these bylaws be deemed unenforceable by any court of competent jurisdiction, then for the purposes of interpretation and enforcement of the bylaws, each paragraph, subparagraph or clause hereof shall be deemed a separate provision and severable, and the balance of the provisions contained herein shall remain in full force and effect.
- (2) For the purposes of all bylaws, wherever the singular or masculine is used, it shall be construed as meaning the plural or feminine or body corporate where the context requires. The terms “resident” or “residents” refer to those individuals residing in the building, whether as owners, tenants or other occupants.

Division 8 – Small Claims

Small claims actions

- 46 Pursuant to section 171 of the Act, the council, on behalf of the strata corporation, may commence a proceeding under the *Small Claims Act* against an owner or other person to collect money owing to the strata corporation without further authorization from the strata corporation. The council may commence the proceedings to collect monies owing to the strata corporation for any reason, including but not limited to monies owing by an owner or tenant for a fine or to recover the deductible portion of an insurance claim if the person is responsible for the loss or damage that gave rise to the claim. The council has full authority to negotiate a settlement or discontinue or dismiss the action.