

voice from the...

strata-SPHERE®



www.stratasphere.online

Winter 2021

ELECTRONIC GENERAL MEETING PITFALLS & CRT CHALLENGES

Prepared by Cora D. Wilson, Strata Lawyer

In response to the COVID-19 pandemic, the government issued Ministerial Order 114 under the *Emergency Program Act* on April 15, 2020 authorizing strata corporations to hold a general meeting by telephone, or by any other electronic method, “if the method permits all persons participating in the meeting to communicate with each other during the meeting.” This enactment permits stratas to hold Annual General Meetings “AGMs” and Special General Meetings “SGMs” by electronic means, even if a strata corporation does not have a bylaw authorizing such meetings.

Electronic meetings are viewed as the way of the future. Strata corporations should consider adopting bylaws addressing such meetings before the end of the state of emergency, December 31, 2021 or any extension of the Order. We recommend that a detailed, stand-alone, prescriptive electronic general meeting bylaw be adopted in addition to bylaws governing in-person general meetings. Bylaws authorizing email voting for council meetings and electronic hearings at council meetings should also be considered.

Electronic meetings are viewed as the way of the future. Strata corporations should consider adopting bylaws addressing such meetings before the end of the state of emergency.

The COVID-19 pandemic has changed the strata governance landscape forever. This seismic shift underscores the importance of conducting annual bylaw reviews to keep up with the significant ongoing changes to the governance systems and current practice of strata corporations. It also underscores the importance of strict adherence to the governing legislation and bylaws by council, the chairperson of AGMs and SGMs and strata managers.

Many recent Civil Resolution Tribunal (“CRT”) decisions have addressed the validity of electronic general meetings, as well as using restricted proxies and other non-compliant procedures. In some cases, the CRT struck down resolutions purportedly approved at non-compliant general meetings. In other cases, the CRT adopted a practical approach by ordering future compliance and refusing to interfere with in-stream approved budgets, council terms and ¾ vote resolutions that had been acted upon.



Cora D. Wilson, J.D., Strata Lawyer, **Wilson McCormack Law Group.** Cora has over 35 years of legal experience with a focus on strata law. She deals with development and construction matters, corporate law, remediation, strata & corporate governance, contracts, bylaws, collections, litigation and other strata related matters. She has appeared in all BC Courts and many tribunals. cora@wmlg.ca

INSIDE THIS EDITION

ELECTRONIC GENERAL MEETING PITFALLS & CRT CHALLENGES..... 1

Cora D. Wilson, J.D.
Strata Lawyer
WILSON McCORMACK LAW GROUP

THE MANDATORY DUE PROCESS SCHEME..... 3

Cora D. Wilson, J.D.
Strata Lawyer
WILSON McCORMACK LAW GROUP

WHOSE STRATA LOT IS IT ANYWAY? 4

Elaine T. McCormack, J.D. & Emily Sheard, J.D.
Strata Lawyers
WILSON McCORMACK LAW GROUP

COUNCIL EMAIL VOTE PITFALLS & CRT CHALLENGES..... 7

Cora D. Wilson, J.D.
Strata Lawyer
WILSON McCORMACK LAW GROUP

Order Your Updated Editions Today!

A Practical Guide to Bylaws **Understanding Governance**

June 2020 10th Edition

1st Edition scheduled for 2022

Number of Books _____

Number of Books _____

**Pre-order pricing will be honoured*

Name: _____

Address: _____

City: _____ Postal Code: _____

Tel: _____ Fax: _____

Email: _____

VISA Mastercard Cheque enclosed *Cheques made payable to
Strata-Sphere Condominium Services Inc.

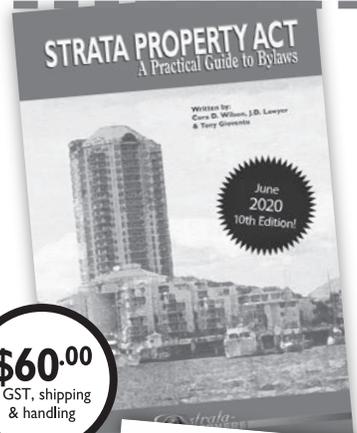
Credit Card # _____ Expiry _____

CVV: _____ Amount: _____

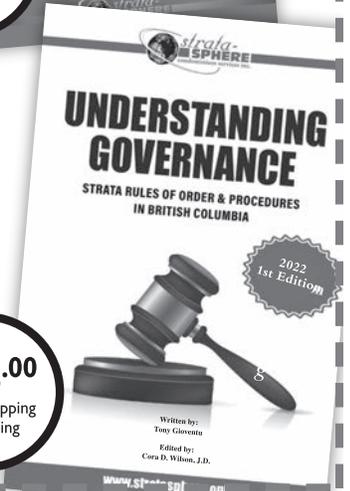
Signature: _____

Fax orders to: 250-741-1441 • T: 250-753-0353 • TF: 1-888-298-7999

Strata-Sphere Condominium Services Inc., 630 Terminal Ave. N., Nanaimo, BC, V9S 4K2



\$60.00
+ GST, shipping & handling



\$35.00
+ GST, shipping & handling

Lorne Gait
Morgan Fisher
1.250.618.0680

410 A - 1st Ave
PO Box 1300,
Ladysmith, BC
V9G 1A9

Your Vancouver Island

Strata Specialists

Lorne & Morgan

www.lornegait.com

Local Knowledge Global Expertise

- Depreciation Reports
- Building Envelope Condition Assessment
- Remediation and Design
- Maintenance Manuals
- Legal Support
- Roof Assessments and Replacement
- Fenestration Consulting
- Energy Efficiency Consulting

- LEED Coordination and Compliance
- Hazardous Materials Survey and Abatement
- Mould Assessment and Indoor Air Quality
- Environmental Site Assessment and Remediation
- Geotechnical Assessment

wsp.com

Victoria: 250-475-1000 / Nanaimo: 250-753-1077
Vancouver: 604-685-9381 / Fraser Valley: 604-533-2992

THE MANDATORY DUE PROCESS SCHEME

by Cora D. Wilson, Strata Lawyer

Cora D. Wilson, J.D., Strata Lawyer, **Wilson McCormack Law Group**. Cora has over 35 years of legal experience with a focus on strata law. She deals with development and construction matters, corporate law, remediation, strata & corporate governance, contracts, bylaws, collections, litigation and other strata related matters. She has appeared in all BC Courts and many tribunals. cora@wmlg.ca



The council of a strata corporation must comply with the due process scheme set out in s. 135 of the *Strata Property Act* ("Act") before imposing a fine, requiring a person to pay the costs of remedying a contravention or denying a person the use of a recreational facility.

The Act requires the strata corporation to give an owner or tenant details of a complaint and an opportunity to answer the complaint, including a hearing if requested, before the council makes a decision regarding the allegations and takes steps to remedy the infraction if a violation has occurred.

Section 135 of the Act states:

- 135 (1) The strata corporation must not
- (a) impose a fine against a person,
 - (b) require a person to pay the costs of remedying a contravention, or
 - (c) deny a person the use of a recreational facility
- for a contravention of a bylaw or rule unless the strata corporation has
- (d) received a complaint about the contravention,
 - (e) given the owner or tenant the particulars of the complaint, in writing, and a reasonable opportunity to answer the complaint, including a hearing if requested by the owner or tenant, and
 - (f) if the person is a tenant, given notice of the complaint to the person's landlord and to the owner.
- (2) The strata corporation must, as soon as feasible, give notice in writing of a decision on a matter referred to in subsection (1) (a), (b) or (c) to the persons referred to in subsection (1) (e) and (f).

- (3) Once a strata corporation has complied with this section in respect of a contravention of a bylaw or rule, it may impose a fine or other penalty for a continuing contravention of that bylaw or rule without further compliance with this section.

The Civil Resolution Tribunal ("CRT") or a Court will strike down fines on grounds of a breach of the duty of fairness. Moreover, claims for recovery of actual reasonable legal costs will also fall.

Consequences:

The case law addresses the consequences of failing to comply with this statutory scheme. The Civil Resolution Tribunal ("CRT") or a Court will strike down fines on grounds of a breach of the duty of fairness when the defaulting owner is not provided with notice of the complaint and an opportunity to be heard: *Schoffield v. Strata Corp.* NW 73 [1983] B.C.J. No. 2471 (B.C.C.A.). Moreover, claims for recovery of actual reasonable legal costs will also fall.

Continuous fines for keeping a cat in a strata lot contrary to a pet prohibition bylaw (a continuous bylaw violation) were struck down by the British Columbia ("Supreme Court") when the fines were imposed without giving the owner an opportunity to be heard, contrary to s. 135 of the Act. A procedural defect is not cured by providing a notice inviting the owner to meet with the council to discuss the fines: *Dimitrov v. Summit Square Strata Corp.* [2006] B.C. J. No. 1532 (B.C.S.C.).

The Supreme Court denied reimbursement of the legal costs of a strata corporation seeking relief against an owner who installed flooring contrary to the bylaws when the strata corporation failed to give the owners an opportunity to be heard: *Strata Plan VR19 v. Collins*, [2004] B.C.J. No. 2757 (B.C.S.C.). This is a harsh result, since these legal costs could be substantial. The strata corporation not getting their legal costs reimbursed is not the same as an order that the strata pays the owner's costs.

The above cases underscore the importance of complying with the due process requirements set out in section 135 of the Act. Recent case law suggests that the principles of procedural fairness and due process are integral, but they are not limitless.

One decision held that it is not significantly unfair to exclude the complainant from the investigation process regarding a nuisance

... continued on page 6

The Act requires the strata corporation to give an owner or tenant details of a complaint and an opportunity to answer the complaint, including a hearing if requested, before the council makes a decision regarding the allegations and takes steps to remedy the infraction if a violation has occurred.



WHOSE STRATA LOT IS IT ANYWAY?

by Elaine T. McCormack and Emily Sheard, Strata Lawyers



Elaine T. McCormack, J.D., Strata Lawyer, Mediator & Arbitrator, Wilson McCormack Law Group. Elaine has over 28 years of strata experience. She deals with strata governance, contracts, bylaws, human rights claims, collections, litigation and other strata related matters. She has appeared in all BC Courts. elaine@wmlg.ca



Emily Sheard, J.D., is an associate lawyer at **Wilson McCormack Law Group**, practicing primarily in the area of strata law. Emily drafts various bylaws as well as privacy policies for strata corporations. She also assists clients with governance issues, including bylaw enforcement, and advises clients on Civil Resolution Tribunal matters, Human Rights Tribunal matters and Court matters in both the Supreme Court of British Columbia and Small Claims Court. emily@wmlg.ca

Who qualifies as an “owner” of a strata lot may surprise you. For those of you who manage strata corporations or serve on strata councils, this article may provide a helpful reference for situations you are bound to encounter.

Strata lot owners have certain powers and duties. Owners can serve on council, vote at general meetings, request a hearing before council, and so on. Owners are also responsible to pay for strata fees, special levies and certain other charges. In addition, certain categories of individuals can act for an owner in various situations. Some representatives acting on behalf of owners will take on all of the powers and duties of an owner, and others take on some of them. For strata corporations that are self-managed and do not have a professional strata property agent, these situations are even

more difficult to address.

In certain circumstances, ownership of a strata lot may change without the strata corporation being notified. We will discuss when this may occur and how the strata corporation can require owners to inform the strata corporation of a change in ownership or representation. We will also discuss why it is important for strata councils to plan how they will respond to and anticipate changes in ownership.

We also consider briefly in this article, the impact of electronic meetings on determining who is an owner.

... continued on page 8



**WILSON
McCORMACK**
AN ASSOCIATION OF LAW CORPORATIONS



Cora Wilson
cora@wmlg.ca

Elaine T. McCormack
elaine@wmlg.ca

Emily Sheard
emily@wmlg.ca

Over 60 Years of Combined Legal Experience

We regularly assist a wide range of clients throughout the province with:

- Bylaws
- Collections
- Civil Resolution Tribunal Matters & Appeals
- Court Applications
- Development
- Governance
- Mediation & Arbitration
- Privacy & Human Rights
- Winding up Stratas

C.D. Wilson Law Corporation

630 Terminal Ave. North
Nanaimo, B.C.V9S 4K2
250-741-1400

McCormack & Company Law Corporation

350 - 500 Sixth Ave.
New Westminster, B.C.V3M 2T6
604-545-0095

Electronic General Meeting Pitfalls & CRT Challenges... *continued from page 1*

Many councils believe, erroneously, that general meetings could be held with extremely limited attendance using restricted proxy voting during the COVID-19 pandemic. The CRT definitively determined that this is not legally permissible. Strata corporations cannot prevent a person from attending a general meeting held under the *Strata Property Act* (“SPA”). The CRT also addressed other potential legal constraints associated with restricted proxy meetings and non-compliance with bylaw procedures.

The Governing Legislation & General Meetings

Division 4 of the SPA addresses general meetings (sections 40 – 52), Division 5 addresses voting (sections 53 – 58) and Division 7 addresses giving notice (sections 60 – 65). Strata corporations should strictly comply with these statutory provisions. Legal challenges create chaos, uncertainty, political strife and significant stress for volunteer councils. Such results may be minimized, if not eliminated, by strict adherence to the governing legislation, by adopting appropriate and enforceable bylaws and by complying with best practices and procedures. Strata corporations should ensure that a strata lawyer is on retainer to assist with the procedural minefield fueled by the pandemic.

Section 49(1) of the SPA states that a strata corporation may, by bylaw, provide for attendance at an AGM or a SGM by telephone or any other method, if the method permits all persons participating to communicate with each other.

As noted above, a strata corporation that does not have such a bylaw may rely upon the Ministerial Order M114 until December 31, 2021 or any extension of the Order. This order enables strata corporations to conduct meetings, including SGMs and AGMs, electronically (by telephone or other electronic methods), during the provincial state of emergency declared due to the COVID-19 pandemic. The only requirement for such meetings is that all persons must be able to communicate with each other. The order applies to all strata corporations whether or not they have a bylaw allowing electronic general meetings.

Although Ministerial Order M114 is permissive, there is nothing in the SPA that allows a strata corporation to prevent entitled voters from participating in an AGM or SGM. This means that if a strata corporation conducts an AGM or SGM and cannot safely accommodate participants in a physical meeting space, it must provide for electronic attendance and voting.

Section 50(2) of the SPA permits resolutions to be amended during a general meeting by 3/4 vote and on very limited conditions. Section 54 sets out a person’s right to vote at an AGM or SGM. Generally, owners can vote, but in some cases tenants and others, can vote.

Section 56 states that a person who may vote under section 54 may vote “in person or by proxy”. Section 56(4) states that a proxy “stands in the place of the person appointing the proxy, and can do anything that person can do, including vote, propose and second motions and participate in the discussion, unless limited in the appointment document.” This provision grants the owner the right to determine “who” may vote on their behalf, to restrict the authority granted by the proxy and to determine the duration of the proxy. It permits a person to appoint any proxy other than an employee of the strata corporation or a person who provides management services to the strata.

Nothing in the SPA gives a strata corporation authority to require that all votes be cast by proxy or to restrict a person’s choice of proxy. The CRT decisions make it clear that such actions are not legally permissible.

Review of Caselaw

A non-exhaustive list of recent CRT decisions includes the following: *Balayewich v. The Owners, Strata Plan LMS317*, 2021 BCCRT 110; *Curll v. The Owners, Strata Plan NW2926*, 2021 BCCRT 504; *Raitt v. The Owners, Strata Plan LMS 1087*, 2021 BCCRT 683; *Shen v. The Owners, Strata Plan EPS3177*, 2020 BCCRT 1157; *Hodgson v. The Owners, Strata Plan LMS 908*, 2021 BCCRT 463; *Pahlke v. The Owners, Strata Plan LMS 342*, 2021 BCCRT 905; *Canadian Regal Education Corporation v. Section 2 of The Owners, Strata Plan EPS1069*, 2021 BCCRT 411; and, *Laing v. The Owners, Strata Plan NW 3323*, 2021 BCCRT 809. Some of these cases are reviewed in detail below.

In *Shen v. The Owners, Strata Plan EPS3177*, 2020 BCCRT 1157, the CRT confirmed that the purpose of Ministerial Order M114 was to accommodate the Provincial Health Officer’s 50-person limit on gatherings and to allow general meeting attendance by all eligible owners and proxies. However, the CRT ordered that the strata corporation was not to act upon the vote result at an electronic general meeting when council failed to allow an alternative method of attendance that would allow all eligible voters and proxies to participate in person and communicate with each other. This failure constituted a breach of section 56 of the SPA. The CRT noted other irregularities, including strata’s restriction on the voters’ ability to choose a proxy. In this case, the CRT found that the failure to allow an alternative method of attendance was fatal and overturned the meeting.

In *Hodgson v. The Owners, Strata Plan LMS 908*, 2021 BCCRT 463, the applicant claimed that general meetings held by the strata corporation did not allow for in-person attendance, unrestricted proxies or secret ballot voting, contrary to the SPA and Ministerial Order 114. The CRT determined that the AGM was invalid and ordered that an SGM be called to address and ratify the AGM business retroactively to the date of the AGM. The CRT refused to declare certain approved resolutions that



The Mandatory Due Process Scheme... *continued from page 3*

from cigarette smoke: *Chorney v. Strata Plan VIS770*, [2016] B.C.J. No. 164 (B.C.S.C.). The Court concluded that an informal discussion formed part of council's investigation. It was not a hearing and section 135 of the *Act* did not apply. Therefore, it is reasonable for council to conduct an investigation of the allegations.

The Supreme Court reviewed section 135 of the *Act* and refers to the procedural requirements that a strata corporation must undertake if it intends to impose sanctions against a person who has violated a rule or bylaw. The provision refers to a person who is *alleged* to have breached a bylaw and, prior to imposing any penalties, mandates the strata corporation to first provide the alleged offender with particulars of the complaint in writing, and then provide that person with a reasonable opportunity to answer the complaint, including a hearing if requested by the owner or the tenant.

The CRT may adopt a different approach by focusing on the procedural aspects of section 135 of the SPA. Each scenario is addressed on a case by case basis, subject to a thorough review of the factual matrix and as such, similar cases could result in a different outcome.

The mechanics are addressed below:

1. The council must not impose a fine for a contravention of a bylaw or rule unless the strata corporation has received a complaint about the contravention and given the owner or tenant the particulars of the complaint, in writing, and a reasonable opportunity to answer the complaint, including a hearing if requested by the owner or tenant. Please note that the council can issue a self-complaint.
2. A bylaw enforcement letter to the owner or tenant should state the following:
 - a. the particulars of the alleged complaint (the date, time and nature of the alleged contravention);
 - b. the relevant bylaws which the owner, tenant, or occupant allegedly contravened;
 - c. the remedy proposed, including a fine, if the council determines that the bylaws have been violated; and,
 - d. the date to provide an answer to the allegations, including a request for a hearing.
3. Although not required by PIPA, the council could obtain the written consent of the complainant before referring to that person in the correspondence. This is for privacy purposes.
4. If the person is a tenant, the council should give notice of the complaint to the person's landlord, to the owner, or to the owner's representative.
5. We recommend providing the owner or tenant with 21 days to respond from the date of the complaint letter to address any applicable statutory notice periods.

6. Please make sure that delivery of the bylaw enforcement letter to the owner or tenant complies with section 61 of the *Act*. It can be sent by mail to the owner or tenant, unless a different outside address for delivery has been provided to the strata corporation.
7. Use caution when sending bylaw enforcement letters by email, since there are constraints associated with delivery in this manner. Council may consider obtaining written authorization for email delivery from the owner to address the statutory constraints associated with the use of email. If in doubt, send the letter by email and by ordinary mail to the address of the strata lot or the outside address provided by the owner or tenant.
8. Once these requirements have been complied with and the date for providing a response to the bylaw enforcement letter has expired, then the council may meet at a duly convened meeting and determine whether there has been a contravention of the bylaws.
9. The strata corporation must, as soon as feasible or within the time provided in the *Act*, give notice in writing of the council decision to the owner or tenant. This notice should be delivered to the owner and tenant pursuant to section 61 of the *Act*.
10. Further, the decision should be recorded in the minutes of council meeting and the minutes should be distributed to owners in the ordinary course.
11. Observers should be excluded from a council meeting when bylaw contravention matters are being addressed and decided upon by the council.
12. Once a decision has been made by the council that the bylaws have been contravened, the council may impose a fine and/or the costs to remedy the contravention.
13. As noted above, any decision should be recorded in the minutes of the council meeting. For privacy reasons, a decision should only refer to the strata lot number.
14. If an activity or lack of activity constitutes a contravention of a bylaw or rule and it continues, without interruption, for longer than 7 days, then a fine may be imposed every 7 days. Since allegations regarding unreasonable noise are not continuous, then they typically do not constitute a continuous violation. The due process scheme must be repeated for each alleged bylaw infraction. This can be a cumbersome process.
15. If the council determines that an owner, tenant, occupant or visitor is in repeated contravention of any

... *continued on page 13*

COUNCIL EMAIL VOTE PITFALLS & CRT CHALLENGES

Prepared by Cora D. Wilson, Strata Lawyer

COVID-19 has significantly altered governance practice and procedure for strata corporation meetings, including council meetings. More and more strata corporations are amending their bylaws to authorize council to approve resolutions by an email vote.

The Standard Bylaws require that council business be conducted in person at a duly convened council meeting and permit council meetings by electronic means, as long as all council members and other participants can communicate with each other. Council members are deemed to be present in person at electronic council meetings (see Standard Bylaws 17(1) and (2)).

In *Azura Management (Kelowna) Corp. v. Strata Plan KAS 2428* (2009), 95 B.C.L.R. (4th) 358 (B.C.S.C.), the Supreme Court held that there is nothing in the *Strata Property Act* (“Act”) that requires council meetings to be held in person. It confirmed that council meetings by telephone or email were permissible and encouraged same in a residential strata context.

Standard Bylaw 19 requires council to inform owners of the minutes of all council minutes within 2 weeks of the meeting, whether or not the minutes have been approved. This bylaw may be amended to extend the time-frame for providing minutes.

In *Kayne v. The Owners, Strata Plan LMS 2374*, 2007 BCSC 1610 (*Kayne*), the BC Supreme Court considered a petitioner’s complaint that there were no minutes of a council meeting. The Court determined that the meeting was an “informal gathering of some council members at which no minutes were kept”. Therefore, it was not a council meeting. The court held that the *Act* requires minutes of council meetings at which decisions are taken, but it would be unrealistic to expect council to keep minutes of informal meetings. However, the Court clarified that a decision made during an informal meeting is not valid unless, and until, it is taken or ratified by a properly constituted and minuted meeting of council.

In *Yang v. Re/Max Commercial Realty Associates (482258 BC Ltd.)*, 2016 BCSC 2147, the Supreme Court held that the *Act* does not specifically prevent email meetings, but minutes must be provided for such meetings.

The Civil Resolution Tribunal (“CRT”) considered the decisions of *Kayne* and *Yang* in *Starr v. The Owners, Strata Plan EPS 59*, 2019 BCCRT 778 (*Starr*) while addressing issues related to email voting. The bylaws in *Starr* permitted electronic council meetings and permitted council to arrange its meetings “as it thinks fit”. The CRT held that council had authority to conduct votes by email, but that email voting was not a council meeting. It concluded that

Cora D. Wilson, J.D., Strata Lawyer, **Wilson McCormack Law Group**. Cora has over 35 years of legal experience with a focus on strata law. She deals with development and construction matters, corporate law, remediation, strata & corporate governance, contracts, bylaws, collections, litigation and other strata related matters. She has appeared in all BC Courts and many tribunals. cora@wmlg.ca



decisions made by email were not valid until the votes were ratified at a properly constituted and minuted council meeting.

The CRT was concerned about transparency and cautioned that continual email voting could deprive owners of the opportunity to observe the council meetings as permitted under the bylaws. In the recent decision of *Laing v. The Owners, Strata Plan NW 3323*, 2021 BCCRT 809, the CRT once again addressed whether approval of council resolutions by email voting was permissible. It concluded that the council must ratify a resolution approved by email at the next duly convened council meeting to ensure council members are entitled to vote and debate each motion.

The CRT noted that formal council meetings must be properly constituted and minuted. Therefore, email votes on their own are not a substitute for council meetings since they do not otherwise comply with the requirements of the bylaws and *Act*. The CRT concluded that the approval of resolutions by email votes should be ratified at a properly constituted and minuted meeting as soon as possible thereafter. The CRT confirmed that ratifying email decisions at a duly convened council meeting cured procedural defects associated with email voting even where council delayed ratifying and documenting such decisions for several months.

The CRT concluded that it would be redundant and could lead to absurd and inconsistent results if council had to reopen each motion voted upon by email to permit debate and a revote to ratify it and refused to provide an order to that effect.

The best practice for council approving resolutions by email is to amend the bylaws to authorize email voting and to require that the decision be ratified at the next duly convened council meeting or as soon as practically possible thereafter, record the decision in the minutes and distribute same to owners.

A strata manager is not qualified to provide legal services, which includes drafting bylaws and resolutions. An experienced lawyer should be retained by the strata corporation to draft the bylaw amendments and otherwise provide legal advice regarding the validity of resolutions to ensure compliance with the governing legislation.



Whose Strata Lot Is It Anyway?... *continued from page 4*

Who is an owner?

To understand who qualifies as an owner of a strata lot, one should first look to the definition of “owner” in section 1 of the *Strata Property Act*:

Strata Property Act, SBC 1998, c 43, section 1 [SPA]:

“owner” means a person, including an owner developer, who is

- (a) a person shown in the register of a land title office as the owner of a freehold estate in a strata lot, whether entitled to it in the person’s own right or in a representative capacity, or
- (b) if the strata lot is in a leasehold strata plan, as defined in section 199, a leasehold tenant as defined in that section,
unless there is
- (c) a registered agreement for sale, in which case it means the registered holder of the last registered agreement for sale, or
- (d) a registered life estate, in which case it means the tenant for life;

The most obvious example of an owner is the person shown as the owner of a freehold estate on the title search. There are also less obvious situations when a person is an owner. A properly registered leasehold tenant is the “owner” of a strata lot in a leasehold strata plan. An example of a leasehold strata plan is a strata plan that is subject to a registered lease of 99 years granted by the Government of Canada.

Another less obvious situation is when an agreement for sale is registered on the title of a strata lot. The holder of the last agreement for sale is an “owner” under the *Strata Property Act* if the agreement is registered on title for the strata lot. In this situation, ownership is shown as a charge on title, rather than the registered holder of the last agreement for sale being listed as a registered owner of the strata lot. This means that the registered holder of the last registered agreement for sale will be able to vote as an owner and can stand for strata council. The same is true for a tenant for life in a registered life estate.

If there is a registered life estate on title, a tenant for life is the owner of a life estate, and is the “owner” of the strata lot during their lifetime. A life estate is created under a Will. Upon the death of the tenant for life, then title to the strata lot passes through the estate to the remainder men. For example, a strata lot owner may pass away and specify in their Will that their spouse will have a life estate in the strata lot. When the spouse with the life estate passes away, ownership of the strata lot will be determined based on the original owner’s Will.

There may also be times when no one qualifies as an owner. For

example, when the sole owner of a strata lot passes away and there is no representative on title for the strata lot, no one may qualify as an owner. As a result, there may be times when no one can vote at a general meeting for a strata lot, and no one from a strata lot is eligible to stand for strata council.

Who can act for an owner and in what circumstances?

1) *Individuals with Representative Capacity*

You will note that under the definition of “owner” in the *Strata Property Act*, the subsection concerning the person shown on the title of a freehold strata lot also includes those shown in a representative capacity. Examples of different representative capacities a person may hold include an administrator, executor, and trustee in bankruptcy. If shown on the title of a freehold strata lot, these individuals are considered owners under the *Strata Property Act*, meaning that they may vote on behalf of owners and stand on council.

2) *Attorneys in Power of Attorney Situations*

A power of attorney is a legal document by which a person, referred to as the “adult” appoints an “attorney” to exercise certain legal rights of the adult. Some attorneys may be granted the power to vote on behalf of an owner at general meetings, and some may not.

Generally, the attorney is not registered on title, but a power of attorney can specifically allow for this. As a result, in certain circumstances, an attorney meets the definition of an owner under the *Strata Property Act*. In such circumstances, an attorney may be eligible to serve on the strata council. However, we will discuss below why this may be problematic.

3) *Corporate Representatives*

Corporate representatives may also be eligible to stand for strata council pursuant to section 28 of the *Strata Property Act*, and may vote at general meetings on behalf of the corporate body that owns a strata lot. Strata councils should consider whether it is appropriate to require corporate representatives to provide the strata corporation with proof of a resolution of the board of directors prior to serving on the strata council.

4) *Conflicts of Interest*

When a representative or attorney is acting on behalf of an owner, there may be a conflict of interest between the duties they hold to the owner, and the duties they would perform as a council member, who must act in the best interest of the strata corporation. The strata corporation should obtain legal advice when considering whether a representative or attorney may serve on strata council.

5) *Documentation*

In each of the above instances when an individual may act on behalf of an owner, strata council members should consider what documentation the strata council requires to confirm whether the representative has the authority to act.

Electronic General Meeting Pitfalls & CRT Challenges... *continued from page 5*

had been acted upon were null and void, including resolutions to obtain a depreciation report and to authorize a repair expenditure resolution.

In *Hodgson*, the AGM was held solely by proxy vote, with a restricted group of council members acting as proxy holders. Council did not allow for physical attendance at the AGM, in person or by proxy. The meeting notice stated that the meeting would be held by “limited attendance of the appointed members and by proxy” and failed to indicate where the meeting would be held. Council encouraged owners to submit proxies, because it could not accommodate all owners for a physical meeting. The notice prohibited electronic attendance at the AGM on grounds that tools were not available to run such a meeting effectively and to accommodate all owners.

The CRT determined that the AGM did not allow a person to vote “in person or by proxy” contrary to section 56(1) of the SPA. The council actively discouraged physical attendance to comply with the applicable public health orders in effect at the time.

Overall, the CRT determined that the AGM process failed to allow for the participation and discussion of owners and proxies contemplated by sections 50, 54, and 56 of the SPA, the strata corporation’s bylaws and Ministerial Order M114. Replicating this process in an information meeting prior to the AGM and advanced ballot voting were not authorized by the SPA. In other words, discussions and potential amendments to resolutions must occur at the same time and by the same owners and proxies who vote on the proposed resolutions at general meetings by proxy, in person, or electronically during the state of emergency.

In *Hodgson*, the CRT refused to declare decisions made at the AGM to be null and void and to reinstate previous AGM decisions on grounds that this approach was impractical. The council had been operating under the approved AGM budget for nearly half the year at the time of the CRT decision. Further, the owners had acted upon an approved $\frac{3}{4}$ vote resolution authorizing the strata corporation to install courtyard drainage. Undoing this resolution would impact expenditures and remove the strata corporation’s authority to carry out the project. The CRT also refused to interfere with the approved resolution to update the strata corporation’s depreciation report.

In *Pahlke v. The Owners, Strata Plan LMS 342*, 2021 BCCRT 905, strata failed to allow electronic attendance at the AGM and wrongfully told owners that they had to vote by restricted proxy. The CRT ordered that the strata corporation hold a “proper” AGM where owners could ask questions and vote by secret ballot.

In this case, the strata corporation required restricted proxy voting at its AGM. Eligible voters were required to use a form to appoint someone from a specific list of people (not whomever the voter wanted) to vote on their behalf and to submit their form of restricted proxy to council’s mailbox or email by a fixed date. Essentially, the owners were appointing a council member as their “restricted proxy” for the AGM, with full power to vote as set out in the form.

The strata corporation only allowed the property manager, two council members, four volunteer vote-counters, and two additional owners to attend the AGM. The strata corporation did not permit attendance at the AGM by telephone, videoconference, or other means. The CRT concluded that the strata corporation violated the SPA by requiring restricted proxy voting at the AGM.

Since the Ministerial Order M114 was in effect at the time of the AGM, the strata corporation could have provided a means for vote-holders to attend the AGM electronically. The CRT determined that the strata corporation’s failure to allow all eligible owners to attend the AGM in some manner breached section 56 of the SPA.

**PEMBERTON
HOLMES**
· ESTABLISHED 1887 ·

#101-891 Attree Ave.
Victoria, B.C.
V9B 0A6

- » Full service professional Strata Management
- » Locally owned and operated since 1887
- » Proudly managing Stratas in:
 - Victoria
 - Westshore
 - Sidney
 - Sooke
 - Cowichan Valley
- » Offering Strata Management for:
 - Condominiums
 - Townhomes
 - Bareland
 - Multi-type Section Stratas

strata@thepropertymanagers.ca | (250) 478-9141
www.stratamanagers.ca





Whose Strata Lot Is It Anyway?... continued from page 8

For example, council may want an owner to provide a copy of the power of attorney to establish that the attorney has the authority to act on their behalf, and to what extent they can act for the owner.

With respect to corporate representatives, strata council may want representatives of corporate owners to provide a duly passed resolution of the directors providing the representative with the authority to act on behalf of the corporate owner regarding the strata lot.

How can the owner of a strata lot change without the strata corporation being informed?

The strata corporation may not be informed when ownership of a strata lot changes because of a transmission, as opposed to a transfer. Under the *Land Title Act*, RSBC 1996, c 250, a transfer includes a conveyance, a grant and an assignment. An example of a transfer is when ownership of a strata lot is conveyed to another person in a basic real estate purchase and sale transaction. Under the *Land Title Act*, a transmission means a change of ownership that is effected by the operation of an act or law, court order or change in a personal representative or trustee. An example of a transmission is when ownership of a strata lot is transmitted to a beneficiary when they inherit a strata lot. Unfortunately, the exact situations when a transmission will occur are not described in the

Owners and their representatives should also be responsible pursuant to the strata corporation's bylaws to provide timely notification of their identity and contact information when there is a change in ownership or representation and proper documentation backing up the change.

Land Title Act, as these situations are created pursuant to federal, provincial, and even municipal legislation.

When there is a transfer of title to a strata lot, the strata corporation is generally put on notice that there will be a change in ownership when a lawyer or notary requests a Form F – Certificate of Payment. When a transfer of a strata lot occurs, a Form F – Certificate of Payment signed on behalf of the strata corporation is submitted to the land title office, along with the transfer documents. When there is a transmission, a Form F – Certificate of Payment is not required by the land title office for the ownership to change. As such, the normal notification from a lawyer or notary to the strata corporation or strata manager regarding a possible change in ownership does not occur.

Another consideration when there is a transmission is that amounts owing to the strata corporation, even strata fees and special levies, may remain in arrears after the transmission occurs and there is a different owner on the title. This comes as a shock to strata council members, as strata fees and special levies must either be paid when there is a transfer, or paid into court as disputed funds in certain rare situations.

Why is it important now, more than ever, to know owners and those who are acting for them?

Today, council members are not as physically connected with owners and other residents as they were in the past. The COVID-19 pandemic has resulted in virtual meetings being the norm. The increased use of online meeting platforms also allows strata council members and owners to attend meetings remotely, removing the need to travel to different cities, or to physically attend meetings altogether.

Relatedly, council members may not be as connected to other individuals involved with the strata corporation as they used to be for other reasons. In large strata complexes with hundreds of strata lots, it would be quite an impressive feat for strata council members to know every owner, tenant and occupant. There have also been an increase in mixed-use strata properties with residential and non-residential owners, tenants and occupants, which results in a less cohesive community.

**STRATA
MANAGEMENT
SOFTWARE**

FOR STRATA CORPORATIONS & MANAGEMENT COMPANIES

POWERSTRATA

- Designed for BC
- Comprehensive
- Secure
- Easy to Use
- Cost Effective

Streamline processes and day-to-day operations for peace of mind.

WWW.POWERSTRATA.COM

T 604.971.5435
1 877.971.5435

PAMA
CHOA
CCI
BBB ACCREDITED BUSINESS

... continued on page 13

Electronic General Meeting Pitfalls & CRT Challenges... *continued from page 9*

The CRT did not require that the AGM be re-held. Instead, it granted orders governing the conduct and timing of the future AGM. It prohibited the use of restricted proxy voting at future general meetings and ordered the strata corporation to allow all eligible voters, or their chosen proxies, if any, to attend the general meeting. The CRT clarified that a general meeting could be held in person or electronically, or by a combination of methods, at council's discretion and consistent with any applicable health orders effective at the time. This decision clarifies that hybrid general meetings are generally acceptable.

Similarly, in *Curll v. The Owners, Strata Plan NW2926*, 2021 BCCRT 504, the CRT refused to order that an AGM be re-held to elect council even though the electronic general meeting contravened the SPA and bylaws. The CRT ordered the strata corporation to comply with the SPA and bylaws for future meetings.

The CRT distinguished *Curll* from *Hodgson* on grounds that the latter decision involved challenged resolutions. A review of the CRT decisions indicates an unwillingness on the part of the CRT to enforce $\frac{3}{4}$ vote resolutions, such as bylaw amendments and repair resolutions, until the same are formally approved at a duly convened general meeting. $\frac{3}{4}$ vote resolutions were not at issue in *Curll* and an order preventing strata from acting on the approved resolutions was not requested.

In *Curll*, the CRT determined that voters were prevented from attending the AGM in person or by unrestricted proxy. They were also prevented from proposing motions to amend resolutions governing council election procedure. This underscores the shortcomings of the restricted proxy approach. Notwithstanding these violations, the CRT refused to overturn business that had been acted upon, but ordered future compliance.

In *Raitt v. The Owners, Strata Plan LMS 1087*, 2021 BCCRT 683, the CRT concluded that the strata corporation contravened the SPA and bylaws by conducting the AGM by proxy only. Again, the CRT did not overturn this meeting, but ordered future compliance with the SPA and bylaws.

The strata complex is comprised of 130 residential strata lots. Council cancelled an in person AGM due to the COVID-19 pandemic gathering restrictions which prohibited gatherings in excess of 50 people. The bylaws permitted general meetings to be held by telephone or electronic means, so long as the method used permits all participants to communicate with each other during the meeting. This is consistent with Ministerial Order 114.

The council conducted the AGM by proxy only to deal with the most urgent matters. The less urgent matters were deferred to a SGM scheduled for later in the year when hopefully an in-person meeting could take place.

A number of owners attempted to physically attend the AGM but were asked to leave. A survey of owners conducted by council indicated that a proxy meeting was the preferred format.

The CRT concluded that the strata corporation did not meet its obligations under the SPA and their bylaws when holding and conducting the general meeting and ordered future compliance.

The CRT refused to invalidate a passed resolution authorizing payment of a security hardware invoice from the contingency reserve fund since it would not serve a practical purpose to do so. The invoice had already been paid and invalidating the vote would not prevent the strata corporation from acting on the results. Further, the CRT refused to order the re-election of council when the election did not take place by secret ballot since this relief was not requested by the applicant. However, the CRT invalidated a bylaw amendment authorizing the use/purchase of security cameras that had not been acted upon (the cameras had not been purchased).

Whether or not an approved $\frac{3}{4}$ vote resolution has been acted upon could impact the outcome of a legal challenge by the CRT. The case law suggests that the CRT is reluctant to strike down such resolutions when they have been acted upon. We anticipate that decisions refusing to strike down $\frac{3}{4}$ vote resolutions on practical grounds could well be the subject matter of a future judicial review.

The CRT in *Raitt* confirmed that the strata corporation's obligations to comply with the SPA and bylaws also extends to the council, but noted that some latitude is justified when scrutinizing the conduct of a volunteer council in reliance upon *Mitchell v. The Owners, Strata Plan KAS 1202*, 2015 BCSC 2153. The SPA does not impose a standard of perfection. Council members may have different views on how to approach various matters and their chosen path may not align with the preference of all owners. However, the CRT concluded that different views is not sufficient to show a pattern of violating the bylaws or the SPA.

Conclusion:

The recent CRT decisions underscore the importance of reviewing and updating governance practice and procedures, including bylaws, on a regular basis.



Electronic General Meeting Pitfalls & CRT Challenges... *continued from page 11*

The following violations could result in a CRT challenge:

1. A notice of general meeting that does not state the correct time, date and location of the general meeting.
2. A proxy form that only permits a restricted proxy vote.
3. A proxy form that requires the owner to only appoint a proxy holder dictated by council and does not permit the owner to appoint the proxy holder of their choice.
4. A proxy form that does not give the owner a choice regarding whether to restrict the proxy or to grant full proxy power.
5. The use of a proxy form as a substitute for a voting ballot.
6. A general meeting that does not permit secret ballot voting when the bylaws require such a vote.
7. A general meeting that does not permit electronic or in-person attendances or a combination thereof.
8. Limiting or refusing in-person or electronic attendance at the general meeting.
9. Preventing owners or their proxies from moving or seconding motions, participating in discussion of a resolution or proposing amendments (in very limited circumstances).
10. The use of an information meeting as a substitute for discussion of a resolution, proposing amendments or voting on a resolution, at the general meeting when the resolution is being voted on.
11. The use of advance voting procedures.

4. Council may recommend certain individuals to be a proxy, but the proxy form should leave a space for an owner to name a proxy of their choice.
5. The optional form of proxy provided by council must give the owner a choice regarding whether or not to restrict the proxy or to grant full proxy power and otherwise comply with section 56(4) of the SPA.
6. A proxy form cannot be used as a substitute for a voting ballot at a general meeting.
7. The notice of general meeting must provide a date, time and location where the general meeting will be held.
8. Secret ballots should be permitted at electronic meetings where the bylaws require such a vote, if possible.
9. An information meeting cannot be used as a substitute for discussion of a resolution, proposing amendments or voting on a resolution, at a general meeting where the resolution is being voted on.
10. Advance voting is not permitted. The vote on a resolution must take place during the voting window at a general meeting.
11. The bylaws, practice and procedures should be reviewed and updated regularly to ensure compliance with CRT decisions and changes to customary practice.

A review of the case law indicates that there is an epidemic of governance violations associated with the calling and holding of electronic general meetings and the use of proxies resulting in significant uncertainty and chaos. Many of these problems can be eliminated or minimized by diligent governance practice and procedures.

Best practices require the following:

1. The strata corporation must comply with the SPA, bylaws and Ministerial Orders.
2. The strata corporation must allow for all owners and proxies to attend general meetings electronically when it is not possible to do so physically.
3. The strata corporation must not limit or refuse both in-person and electronic attendance at general meetings since this prevents eligible voters from moving or seconding motions, participating in discussion of a resolution or proposing amendments at a general meeting.

A review of the case law indicates that there is a significant number of governance violations associated with the calling and holding of electronic general meetings and the use of proxies resulting in significant uncertainty and chaos. Many of these problems can be eliminated or minimized by adopting diligent governance practice and procedures.

Strata managers are not licenced to provide legal advice. We recommend that strata corporations retain an experienced lawyer to address bylaw amendments, prepare $\frac{3}{4}$ vote resolutions and provide legal advice to strata corporations, as required, including advice regarding proper governance.

The Mandatory Due Process Scheme... *continued from page 6*

bylaw or rule of the strata corporation, then subject to compliance with the provisions of the *Act*, the council must levy fines against the responsible owner or tenant without further notice to the owner and tenant.

16. Owners should be notified if the council intends to levy fines in this manner.
17. Whether or not the bylaw contravention is continuous is a question of fact. For instance, a rental bylaw contravention is likely continuous. As noted above, a noise bylaw contravention is not generally viewed as a continuing contravention. An exception to this general rule could be, for example, ongoing unreasonable impact noise allegations due to an acoustically substandard flooring installation.
18. In *Strata Plan VR 2000 v Garbarczyk*, [2006] B.C.J. No. 3370 2006 BCSC 1960 Vancouver Registry No. L053103 (BCSC), an application was brought by the strata corporation for a declaration that Garbarczyk breached a noise bylaw. An order was granted by the Court requiring Garbarczyk to cease and desist from noisy behaviour in the suite and to pay fines imposed for this breach. The evidence indicates that Garbarczyk repeatedly contravened the bylaw by deliberating making loud noises that were highly disturbing to the neighbour's enjoyment of the strata lot. The Court issued an injunction against Garbarczyk and required him to pay the unpaid fines. This was an unusual case which underscores the importance of meticulously recording and addressing every alleged

noise violation to ensure that the strata corporation obtains the proper remedy at the end of the day. The application for relief would be brought in the CRT today. We can assist with this process upon request.

19. These due process requirements should be repeated for every new bylaw violation.
20. Please note that fines may be challenged in a number of ways, such as the following:
 - a. fines must be appropriate and proportional to the bylaw violation and if they are viewed as a penalty, then a Court could strike all or a portion of the fines;
 - b. fines may be not recoverable if the strata corporation has failed to comply with section 135 of the SPA; and,
 - c. fines may not be recoverable if a strata corporation or its council fail to act reasonably.
21. Fines should not be used as an exclusive tool to remedy contraventions. If an owner has a dangerous pet in the premises, the most effective remedy is likely the removal of the pet from the premises. This entails bringing an application to the CRT for an order compelling the owner to remove the pet.

This is a very complex area of the law. If you require further direction or assistance regarding how to proceed when faced with a potential bylaw contravention, you should seek legal advice.

Whose Strata Lot Is It Anyway?... *continued from page 10*

With the increase in the number of general meetings being held by electronic means, unfamiliar faces are popping up in virtual waiting rooms, and the individuals are asking to be admitted to general meetings. These individuals are expecting to vote on resolutions any maybe stand for strata council, either as an owner or purporting to do so on behalf of an owner.

When strata corporations may safely hold general meetings in person again, unfamiliar faces may appear at these meetings as well. For instance, executors, attorneys under a power of attorney and corporate representatives may attend. For an in-depth discussion about electronic meetings, please refer to Cora Wilson's article in this issue of Strata-sphere.

Given the weakened physical connection between individuals involved with strata corporations, strata council members, as well as some inevitable circumstances discussed above, it makes sense to consider who qualifies as a strata lot owner and who can act for a strata lot owner in a more formal way. It also makes sense to consider how strata corporations can amend their bylaws to place more responsibility on owners and those who can act on behalf

of owners to inform the strata corporation of their identities and provide documentation.

What steps can the strata corporation require for notification of changes in ownership and representation?

Section 4 of the *Schedule of Standard Bylaws* requires an owner to provide the strata corporation with the owner's name, strata lot number, and mailing address outside of the strata plan, if the owner has one, within two weeks of becoming an owner. In our view, owners and their representatives should also be responsible pursuant to the strata corporation's bylaws to provide timely notification of their identity and contact information when there is a change in ownership or representation and proper documentation backing up the change.

The strata corporation may adopt bylaws requiring owners to inform strata corporations of changes in ownership and representation in various situations, including the following:

- Transmissions (executors, beneficiaries, life estates, trustees in bankruptcy)

... continued on page 14



Voice from the Strata-sphere

Voice from the Strata-sphere is published annually by

Strata-sphere Condominium Services Inc.

630 Terminal Avenue North,
Nanaimo, BC V9S 4K2

Tel: 1.888.298.7999

250.753.0353

Fax: 250.741.1441

Email: info@stratasphere.online

Website: www.stratasphere.online

Editor: Cora D. Wilson



**Assistant Editor:
Lesley Richmond**

The editorial content of this publication is protected by copyright and may not be reproduced, reprinted or published without the prior written consent of Strata-sphere Condominium Services Inc.

The opinion and views expressed in this Newsletter are not represented or warranted as representing the views of Strata-sphere or the views of the Civil Resolution Tribunal. The content in the Articles is provided for information purposes and is not to be construed or relied upon as legal or other professional advice.

Publishing the names of an individual or a company in 'Voice from the Strata-sphere' is not to be construed either directly or indirectly as an endorsement of such person or company or its products. Advertisements reflect the products and services provided by the advertiser.

ADVERTISING RATES

Please contact our office for current advertising rates.

Note: Artwork & Setup extra per quote. Prices subject to change if distribution increases.

© Copyright 2021

Whose Strata Lot Is It Anyway?... continued from page 13

- Registered agreements for sale
- Representatives of corporate owners
- Powers of attorney
- Tenants with powers under section 148 of the Strata Property Act
- Company receivers

Here are three examples of changes that may be made to section 4 of the *Schedule of Standard Bylaws* to obligate owners to inform the strata corporation of a change in ownership or representation:

- Notification required by an owner to the strata corporation of a transmission or transfer of title within two weeks of becoming an owner, in addition to providing contact information.
- Notification required by an owner to the strata corporation of transmission or transfer of title prior to exercising the powers or duties of an owner, including but not limited to voting at a general meeting, appointing a proxy or standing for council, even in circumstances when less than two weeks have passed since the person became an owner.
- Specifying documentation required by the strata corporation, for an owner who is providing notification to the strata corporation of a transmission or transfer, 48 hours prior to exercising the powers or duties of an owner.

A strata corporation may also want to include a revised version of section 27 of the *Schedule of Standard Bylaws* in the strata corporation's bylaws to require an owner to provide documents prior to a general meeting, when the owner has not previously given notice of a change in ownership or individual representing an owner. Strata council should have proper documentation to review regarding whether a person qualifies to vote at a

general meeting. Consideration should be given to how these documentary requirements will be met when the general meeting is held by electronic means.

Strata council should also consider the privacy implications of the collection, use, disclosure, retention and destruction of emergency contact information and alternative contact information. When can the strata corporation disclose this information to individuals who act on behalf of owners?

Under section 18 of the *Personal Information Protection Act*, SBC 2003, c 63 [PIPA], a strata corporation may only disclose personal information about an individual without their consent in certain circumstances. These circumstances include "if the disclosure is clearly in the interests of the individual and consent cannot be obtained in a timely way," (section 18(1)(a), PIPA) and "if the disclosure is necessary for the medical treatment of the individual and the individual does not have the legal capacity to give consent," (section 18(1)(b), PIPA).

The strata council may wish to consider revisions to the strata corporation's privacy policy. The strata council may also wish to propose bylaws to the owners to allow the strata corporation to obtain consent from the owners collect alternative contact information for broader use and disclosure purposes than those described in PIPA.

If your strata corporation would like to adopt bylaws to address the above issues, and consider revising its privacy policy, it is recommended that you seek legal advice to draft bylaws that meet the unique needs of your strata corporation. This article is for educational purposes only and does not constitute legal advice.

A previous version of this article was published in the BC Notaries Association Spring 2021 Edition of The Scrivener, Volume 30, Number 1.

Helping people live and grow together.

Property management that helps communities live
and grow together, tenants to find homes, and
homeowners to worry less about their investments.

NOW WITH FOUR LOCATIONS TO BEST SERVE YOU

VICTORIA OFFICE:
250.475.6440

WESTSHORE OFFICE:
250.915.8888

NANAIMO OFFICE:
250.754.6440

COURTENAY OFFICE:
250.338.6900



www.prolinemanagement.com





Pacific Rim Appraisals Ltd.

Pacific Rim Appraisals Ltd. has been servicing all of British Columbia with over 40 years of experience with offices in Victoria, Nanaimo and Richmond.

Order an insurance appraisal and depreciation report (reserve study) at the same time and receive a 20% to 30% discount on the cost of the insurance appraisal.

2-57 Skinner Street
Nanaimo, B.C. V9R 5G9

Phone: (250) 754-3710
Fax: (250) 754-3701

550-2950 Douglas Street
Victoria, B.C. V8T 4N5

Phone: (250) 477-7090

305-5811 Cooney Road
Richmond, B.C. V6X 3M1

Phone: (604) 248-2450

www.pacificrimappraisals.com

Toll Free Phone: 1-866-612-2600

Toll Free Fax: 1-866-612-2800

Email: depreciationreports@pacificrimappraisals.com

One Stop Shop for Depreciation Reports and Insurance Appraisals
Serving All of British Columbia with Certified Reserve Planners