

STRATA PLAN LMS 2419

THE DELANO

BYLAWS

2983—3023—3083

WEST 4TH AVENUE

VANCOUVER, BC, V6K 1R5

As Adopted At The November 15, 2001 AGM

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STRATA PLAN LMS 2419

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

01 - Payment of strata fees

- (1) An owner must pay strata fees on or before the first day of the month to which the strata fees relate. See Schedule A - Fee Summary.
- (2) If an owner is late in paying his or her strata fees, the owner must pay to the strata corporation interest on the late payment in the amount of 10% per annum, compounded annually, and calculated on a monthly basis commencing from the date the payment was due and continuing until the last day of the month in which it is paid.
- (3) When arrears aggregate three monthly maintenance payments a lien will be placed on the strata lot involved at the owner's expense for the total monies due, including all legal and other expenses. A lien may be placed without notice.

02 - Repair and maintenance of property by owner

- (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.

03 - Use of property

- (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 in the opinion of council;
 - (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; or

- (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.
- (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 Act.

04 - Disturbance of Others

- (1) An owner, tenant or occupant must not:
 - (a) use a strata lot for any purpose which involves undue traffic or noise in or about the strata lot or common property between the hours of 10:30 p.m. and 7:00 a.m. or that encourages loitering by persons in or about the strata lot or common property;
 - (b) make, cause or produce undue noise, smell, vibration or glare in or about any strata lot or common property or do anything which will interfere unreasonably with any other owner, tenant or occupant;
 - (c) use any musical instrument, amplifier, sound reproduction equipment or other device within or about any strata lot, the common property or any limited common property such that it causes a disturbance or interferes with the comfort of any other owner, tenant or occupant;
 - (d) obstruct or use the sidewalks, hallways, walkways, passages and driveways of the common property for any purpose other than ingress or egress from the strata lots or parking areas within the common property of the strata plan;
 - (e) leave on the common property or any limited common property, any shopping cart, stroller, garbage, bicycle or any other item designated from time to time by the strata council;
 - (f) do anything that will increase the risk of fire or the rate of insurance on the building or any part thereof;
 - (g) permit a condition to exist within a strata lot which will result in the waste or excessive consumption of the building's domestic water supply or heated water;
 - (h) allow a strata lot to become unsanitary or a source of odour;

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- (i) feed pigeons, gulls or other birds, squirrels, rodents or other animals from a strata lot or anywhere on or in close proximity to the common property or any limited common property, but this shall not apply to a pet permitted to be kept in a strata lot pursuant to these bylaws and the rules made hereunder, which pet shall be fed only in a strata lot;
- (j) wear or use inline skates or skateboards ANYWHERE in the building, including strata lot
- (k) use common property electrical outlets with the exception of parking area outlets used while vacuuming a vehicle

05 - Exterior Appearance

- (1) An owner, tenant or occupant must not:
 - (a) install any window coverings, visible from the exterior of his strata lot, which are different in size or colour from those of the original building specifications;
 - (b) install any window screens that are not in the same metallic finish and equal in colour to existing window frames;
 - (c) hang or display any laundry, washing, clothing, bedding or other articles from windows, balconies or other parts of the building so that they are visible from the outside of the building;
 - (d) use or install in or about a strata lot any shades, awnings, window or balcony guards or screens, ventilators, supplementary heating or air conditioning devices, except those installations approved in writing by the council;
 - (e) erect on or fasten to the strata lot, the common property or any limited common property any television or radio antenna or similar structure or appurtenance thereto;
 - (f) place any signs, billboards, notices or other advertising matter of any kind on, or visible from, the exterior of a strata lot;
 - (g) except with the written permission of the strata council, alter in any way the exterior appearance or structure of the strata lot, including but not limited to the painting of the exterior, or the attachment of sunscreens or greenhouses;

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- (h) install Christmas lights before December 1. Christmas lights must be removed before January 15

06 - Balconies

- (1) An owner, tenant or occupant must not:
 - (a) use a barbecue, hibachi or other like cooking device on a balcony, deck or patio unless such barbecue, hibachi or cooking device is powered by propane, natural gas or electricity and such propane, natural gas or electricity powered barbecues, hibachis and other light cooking devices shall not be used except in accordance with rules made by the strata corporation from time to time;
 - (b) shake any mops or dusters of any kind, nor throw any refuse, out of the windows or doors or from the balcony of a strata lot;
 - (c) place any indoor-outdoor carpeting on any deck, patio or balcony, or place any items on any deck, patio or the balcony except free-standing, self-contained planter boxes, barbecues, summer furniture and accessories nor install any hanging plants or baskets or other hanging items within three feet of a balcony railing line;

07 - Security

- (1) An owner, tenant or occupant must not give any keys, or other means of access to the building, the parking garage or common areas to any person other than an employee, contractor, occupant or guest of the strata lot permitted by these bylaws.

08 - Exercise Room and Jacuzzi

- (1) The strata council shall administer the exercise room and jacuzzi, and any rules and regulations formulated by the strata council from time to time shall be binding upon all owners, residents and visitors.
- (2) The exercise room and jacuzzi are for the use of residents and their invited guests only. A resident must accompany guests when using these facilities.
- (3) Hours of use for the exercise room and jacuzzi: Open 24 hours, except between 11:00 p.m. and 7:00 a.m., when only quiet activities will be permitted and the use of the high

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speed jets on the jacuzzi, and the multi-gym set and weight equipment in the exercise room will not be permitted.

09 - Pets

- (1) An owner, tenant, occupant or visitor must ensure that all animals are leashed or otherwise secured when on the common property or on land that is a common asset.
- (2) An owner, tenant or occupant is permitted to have no more than 2 of any combination of the following pets:
 - (a) a glass tank, up to a maximum of twenty gallons, containing a reasonable number of fish or other small aquarium animals;
 - (b) small caged mammal;
 - (c) dog;
 - (d) cat;
 - (e) caged bird.

- (3) An owner of a pet shall not permit the pet to urinate or defecate on the common property, and if any pet does urinate or defecate on the common property, the owner shall immediately and completely remove all of the pet's waste from the common property and dispose of it in a waste container or by some other sanitary means.
- (4) An owner, tenant or occupant whose guest or invitee brings an animal or pet onto the common property shall ensure that the guest or invitee complies with all requirements of these bylaws as they relate to animals and shall perform all of the duties and obligations with respect to that animal or pet as set out in these bylaws.
- (5) No owner, tenant or occupant shall permit its pet to interfere with any other person, pet or object, or permit its pet to disturb any other owner, tenant or occupant with uncontrolled barking or howling.
- (6) The strata council may, from time to time on behalf of the strata corporation, enact such rules with respect to the keeping of pets as the strata council, acting reasonably, deems necessary or desirable, provided that, in the event of any conflict between these bylaws and any such rule, the provisions of these bylaws will prevail.
- (7) If any owner, tenant or occupant violates any provision of these bylaws or if the strata council on reasonable grounds considers a pet to be a nuisance the strata council may, by written notice to such owner, tenant or occupant cause such owner, tenant or occupant to have the pet removed from the strata lot within thirty days of receiving such notice.

10 - Garbage Disposal

- (1) An owner, tenant or occupant shall remove ordinary household refuse and garbage from his strata lot and deposit it in the containers provided by the strata corporation for that purpose; all garbage shall be bagged and tied before so depositing and the owner, tenant or occupant shall remove any materials other than ordinary household refuse and garbage from the strata plan property at his expense.

11 - Bicycles, Storage and Parking

- (1) Bicycles are not permitted in elevators, hallways or any other common areas. No bicycles are to be kept on balconies or

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patios; instead, they shall be stored within the owner's designated storage locker or the bicycle lockers in the parkade. All bicycles must enter or exit the building by way of the vehicle entry to the parking garage only.

- (2) Any owner, tenant or occupant that leaves any item anywhere on or in the common property or on any limited common property does so at his own risk, subject to any claim that may properly be made under any insurance policy maintained by the strata corporation by anyone that is an insured under that policy.
- (3) An owner, tenant or occupant must use parking stalls only for the parking of licensed and insured motor vehicles, trailers, motorcycles or bicycles, and not for the parking of any other type of vehicle or the storage of any other item, unless otherwise approved in writing by the council.
- (4) An owner, tenant or occupant shall not:
 - (a) use any parking space in the building or on the common property or on any limited common property, except the parking space which has been specifically assigned to his strata lot, a parking space leased by the owner or, when specifically agreed with another owner, the parking space assigned to the strata lot of that other owner;
 - (b) carry out any oil changes, major repairs or adjustments to motor vehicles or other mechanical equipment on common property or on any limited common property, except in the case of emergency;
 - (c) rent or lease the parking space assigned by the strata corporation to his strata lot to or otherwise permit that parking space to be regularly used by anyone that is not a resident of the building;
 - (d) park any vehicle in a manner which will reduce the width of the garage roadway or ramp or any roadway on the common property or on any limited common property; and
 - (e) use any part of the common property (other than established storage rooms or lockers) for storage, without the written consent of the council.
 - (f) use any part of the parkade to wash their vehicle
 - (g) park a vehicle in the parkade without displaying valid insurance. Vehicles not insured for driving must display a copy of valid storage insurance on the inside of their

car windows. Vehicles not displaying valid insurance will be towed without notice.

- (5) An owner, tenant or occupant must promptly and at its own expense clean up any oil or other substance which spills or leaks onto the common property. Once notified, if an owner, resident or occupant does not clean up an oil leak within one week, the oil leak will be cleaned up for them and charged as per attached fee schedule "A".

12 - Hardwood Floors

- (1) No surface flooring other than carpet shall be installed in any unit (except bathrooms, kitchens, and entrance hallways) located directly above another unit.

13 - Move In / Move Out

- (1) The Management Company must be notified in writing at least 7 days prior to a move.
- (2) No moving is allowed between the hours of 9:00 p.m. and 8:00 a.m.
- (3) Building and parkade entrances must not be left open and unattended.
- (4) All moving boxes must be disposed of by the residents.
- (5) See Schedule A — Fee Summary for an outline of relevant fees and charges related to move in/ move out

14- Selling of Strata Lots

- (1) An owner of a strata lot, when selling his strata lot, will not permit "For Sale" signs to be placed on or about the common property except on the signage frame located at the entrance to the building which is designated for such purpose.

15 - Inform strata corporation

- (1) Within 2 weeks of becoming an owner, the new 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) Within 2 weeks of a strata lot being rented to a new tenant, the owner must deliver to the management company a

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completed Form K — Tenant's Undertaking. A fine will be applied to strata lots where a Form K is required but not provided, as outlined in the attached fee schedule "A".

16 - Obtain approval before altering a strata lot

- (1) An owner must obtain the written approval of the strata corporation before making or authorizing 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 (including the casings, the frames and the sills of such doors, windows and skylights) on the exterior of a building, or that front on the common property (i.e. including, for example, adding security devices to the entrance door to a strata lot);
 - (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, including all fixtures and floor coverings.
 - (h) wiring, plumbing, piping, heating, air conditioning and other services.
- (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 and to indemnify and hold harmless the strata corporation for any future costs in connection with the alteration.
- (3) An owner, tenant or occupant must not do any act, nor alter a strata lot, in any manner, which in the opinion of the council will alter the exterior appearance of the building.
- (4) An owner intending to apply to the strata corporation for permission to alter a strata lot must submit, in writing, detailed plans and written description of the intended alteration.

17 - Obtain approval before altering common property

- (1) An owner must obtain the written approval of the strata corporation before making or authorizing an alteration to common property, including limited common property, or common assets. (all landscaped areas are common property)
- (2) An owner, as part of its application to the strata corporation for permission to alter common property, limited common property or common assets, must;
 - a) submit, in writing, detailed plans and description of the intended alteration;
 - b) obtain all applicable permits, licences and approvals from the appropriate governmental authorities and provide copies to the strata council; and
 - c) obtain the consent of the owners by written approval of the strata council under bylaw 17.1
- (3) 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 and to provide, at the request of the strata corporation, evidence of appropriate insurance coverage relating to the alteration.

18 - Permit entry to strata lot

- (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,
 - (i) 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 the Act; and
 - (ii) to ensure compliance with the Act and these bylaws.
- (2) The notice referred to in subsection (1) (b) must include the date and approximate time of entry, and the reason for entry.

Division 2 – Powers and Duties of Strata Corporation

19 - Repair and maintenance of property by strata corporation

- (1) 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;
 - (B) chimneys, stairs, balconies, patios and other things attached to the exterior of a building;
 - (C) doors, windows and skylights on the exterior of a building or that front on the common property; doors, windows and skylights (including the casings, the frames and the sills of such doors, windows and skylights) on the exterior of a building or that front on the common or limited common property;
 - (D) fences, railings and similar structures that enclose patios, balconies and yards;
 - (d) a strata lot in a strata plan that is not a bare land strata plan, 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, patios and other things attached to the exterior of a building,
 - (iv) doors, windows and skylights (including the casings, the frames and the sills of such doors, windows and skylights) on the exterior of a building or that front on the common or limited common property, and
 - (v) fences, railings and similar structures that enclose patios, balconies and yards.

Division 3 – Strata Council

26 - Council size

- (1) Council must have at least 3 members and not more than 7 members.

27 - Persons Permitted on Council

- (1) Further to section 28(2) of the Act, following classes of persons may also be council members:
 - (a) a spouse, including a common law spouse, of an owner; and

28 - Council members' terms

- (1) The term of office of a council member ends at the end of the annual general meeting at which the new council is elected.
- (2) A person whose term as council member is ending is eligible for reelection.

29 - Removing council member

- (1) Unless all the owners are on the council, the strata corporation may, by a resolution passed by a majority vote at an annual or special general meeting, remove one or more council members.
- (2) After removing a council member, the strata corporation must hold an election at the same annual or special general meeting to replace the council member for the remainder of the term.
- (3) No person may stand for council or continue to be on council with respect to a strata lot if the strata corporation is entitled to register a lien against that strata lot under the Act.

30 - Replacing council member

- (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.

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- (3) The council may appoint a council member under this section even if the absence of the member being replaced leaves the council without a quorum.
- (4) If all the members of the council resign or are unwilling or unable to act for a period of 2 or more months, persons holding at least 25% of the strata corporation's votes may hold a special general meeting to elect a new council by complying with the provisions of the Act, the regulations and the bylaws respecting the calling and holding of meetings.

31 - Officers

- (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, and a treasurer.
- (2) A person may hold more than one 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.

32 - Calling council meetings

- (1) Any council member may call a council meeting by giving the other council members at least one 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 one 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
 - (iii) consent in advance of the meeting, or
 - (iv) are unavailable to provide consent after reasonable attempts to contact them.

33 - Requisition of council hearing

- (1) By application in writing, stating the reason for the request, an owner or tenant may request a hearing at a council meeting.
- (2) If a hearing is requested under subsection (1), the council must hold a meeting to hear the applicant within one month of the request.
- (3) If the purpose of the hearing is to seek a decision of the council, the council must give the applicant a written decision within one week of the hearing.

34 - Quorum of council

- (1) A quorum of the council is
 - (a) 2, if the council consists of 4 or fewer members,
 - (b) 3, if the council consists of 5 or 6 members, and
 - (c) 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.

35 - Council meetings

- (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;
 - (c) any other matters if the presence of observers would, in the council's opinion, unreasonably interfere with an individual's privacy.

36 - Voting at council meetings

- (1) At council meetings, decisions must be made by a majority of council members present in person at the meeting.

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- (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.

37 - Council to inform owners of minutes

- (1) The council must inform owners of the minutes of all council meetings and general meetings within 2 weeks of the meeting, whether or not the minutes have been approved.

38 - Delegation of council's powers and duties

- (1) Subject to subsections (2) to (4), the council may delegate some or all of its powers and duties to one 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 denied access to a recreational facility.

39 - Spending restrictions

- (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.

40 - Limitation on liability of council member

- (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.

41 - Acquisition or Disposition of Personal Property

- (1) The strata corporation may purchase, lease or otherwise acquire personal property for the use or benefit of the owners and may sell or otherwise dispose of such personal property for any amount approved in the annual budget for the strata corporation, but otherwise only if approved by a resolution passed by a % vote at an annual or special general meeting if the personal property has a market value of more than \$1,000.

Division 4 – Annual and Special General Meetings

42 - Person to chair meeting

- (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.
- (4) Meetings may be chaired by someone not an owner.

44 - Voting

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

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- (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) If there are only 2 strata lots in the strata plan, subsection (5) does not apply.
- (7) 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.
- (8) An owner who is otherwise an eligible voter may not exercise his or her vote for a strata lot, except on matters requiring an unanimous vote, if the strata corporation is entitled to register a lien against that strata lot.

45 - Order of business

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 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 strata corporation under section 125 of the Act;

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- (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, if the meeting is an annual general meeting;
- (n) terminate the meeting.

46 - Quorum

1) A quorum for an annual or special general meetings is eligible voters holding 20% of the strata corporation's votes, in person or by proxy.

47 - Procedure

Notwithstanding section 48(3) of the Act, if within 1/2 hour from the time appointed for an annual or special general meeting a quorum is not present, the meeting shall be terminated if the meeting was convened upon the requisition of members; but in any other case, the meeting shall stand adjourned for a further % hour from the time appointed and, if within one hour from the time appointed a quorum is not present for the meeting, the eligible voters present in person or by proxy shall constitute a quorum.

45 - Electronic Attendance at Meetings

- (1) Attendance by persons at an annual or special general meeting may be by telephone or other electronic method if such method permits all persons participating in the meeting to communicate with each other during the meeting.

48 - Participation by other than eligible voters

- (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.

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- (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.

Division 5 – Voluntary Dispute Resolution

50 - Voluntary dispute resolution

- (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) A dispute resolution committee consists of
 - (a) one owner or tenant of the strata corporation nominated by each of the disputing parties and one 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 6 – Enforcement of Bylaws and Rules

51 - Violations of bylaws

- (1) An infraction or violation of these bylaws or any rules and regulations established under them on the part of an owner, the owner's employees, agents, invitees or tenants may be corrected, remedied or cured by the strata corporation.
- (2) Any costs or expense incurred under subsection (1) by the corporation
 - (a) must be charged to that owner, and
 - (b) must be added to and become a part of the assessment of that owner for the month next following the date on which the costs or expense are incurred, but not necessarily paid by the corporation, and become due and payable on the date of payment of the monthly assessment.

- (3) The strata corporation may recover from an owner by an action for debt in a court of competent jurisdiction money which the strata corporation is required to expend as a result of an act or omission by the owner, the owner's employees, agents, invitees or tenants, or an infraction or violation of these bylaws or any rules or regulations established under them.

52 - Maximum fine

- (1) The strata corporation may fine an owner or tenant a maximum of:
 - (a) \$200 for each contravention of a bylaw; and (b) \$50 for each contravention of a rule.
- (2) The strata corporation may impose a fine on an owner or tenant for a continuing contravention of a bylaw or rule every 7 days.
- (3) Each owner and tenant is responsible for payment, without invoice, of any money (other than strata fees, but including special levies) owing to the strata corporation as provided for in the Act or these bylaws, and if the owner or tenant fails to pay any money so owing within 15 days after the date such money becomes due, the owner or tenant will, after having been given written notice of the default and been provided with a reasonable opportunity to answer the complaint (including a hearing if requested), be assessed and pay a fine of \$10.00, and if such default continues for a further 15 days, an additional fine of \$25.00 will be levied against and paid by the owner or tenant, as the case may be, and for each additional month such default continues, an additional fine of \$25.00 will be levied against and paid by the owner or tenant.
- (4) Additional assessments, fines authorized by these bylaws, banking charges, filing costs, legal expenses, interest charges and any other expenses incurred by either the strata corporation to enforce these bylaws, as they may be amended from time to time, or any rule which may be established from time to time by the council pursuant to the Act or these bylaws, shall become part of the assessment of the owner responsible and shall become due and payable on the first day of the month next following, except that any amount owing in respect of a fine or the cost of remedying the contravention of a bylaw will be calculated as a separate

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component of such assessment and the strata corporation may not register a lien against such separate component.

53 - Small Claims Action

- (1) Notwithstanding any provision of the Act, the strata corporation may proceed under the Small Claims Act (British Columbia) against an owner or other person to collect money owing to the strata corporation, including money owing as a fine, without requiring authorization by a resolution passed by a 3/4 vote.

Schedule A – Fee Summary

54 - Fines I Fee Summary

- (1) The following fees and fines table will act as a guide for the strata corporation if an owner or tenant contravene the bylaws:

Fines	
Payment of strata fees - 1 (1) An owner must pay strata fees on or before the first day of the month to which the strata fees relate. (plus 10% per annum) (Late fines when strata fees are not paid on time)	\$50
Move in / Move out — 13 — (3) Fine will be levied if, during a move into the building, the entrance of the building is left unsecured	\$50
Failure to give proper notice of a move — 13— (2)	\$100
Moving during unauthorized hours - 13	\$100
Violation of the bylaws	\$50 per day per violation
Failure to submit a Form K "Tenant's Undertaking" to the Management Company	\$50 per month
Fees and Deposits	
When there is a change over of residents within a strata lot, that strata lot shall be assessed a move in/out fee	\$75 if 12 months or more have passed since last change of residents \$150 if less than 12 months have passed
Refundable deposit for additional front door keys (beyond the two permitted per unit)	\$50 for third \$100 for all others
New parkade remotes that are traded in for an old one	\$60
New parkade remote	\$100

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