



Vancouver Island Strata Owners Association
PO Box 30091 -- Saanich Centre Postal Outlet
Victoria, B.C. V8X 5E1

Helpline: (250) 920-0222
Website: <http://visoa.bc.ca>
Email: info@visoa.bc.ca

STRATA BULLETIN – MARCH 2005

INSIDE THIS ISSUE:

- ☞ Message from Your President
- ☞ You Asked: Keeping a Maintenance Log
Harvey Williams, Board Member
- ☞ Stratas instead of Condominiums?
Harvey Williams, Board Member
- ☞ Planned Maintenance & Visa Versa
John Grubb, Unity Services Corporation



BOARD OF DIRECTORS

President	Florence Walker
Vice-President	Harvey Williams
Secretary	Claudio Procopio
Treasurer	Bill Frache
Membership/Editor	Allen Walker
Board Members	Bruce Billings Elsie Lockert Felicia Oliver Mowe Warwick

MESSAGE FROM YOUR PRESIDENT MARCH 2005

We had a very successful Annual General Meeting on February 20, 2005 at our new location, the Trafalgar/Pro-Patria Legion on Gorge Road. The space was large and the chairs were comfortable. Staff support was very good too.

Our members and the new Board elected on February 20 can look forward to a very busy 2005. We will be looking at several initiatives but the most important will be a result of the decision to move ahead with the re-organization of the management of your Association. We are going to try to move to management by an Executive Officer who will provide service on a half-day five-day week basis. The biggest question here will be how we will cover the noon hour and after 5:00pm (for those who work) and during the day for us "retireds".

We are not sure of all of the decisions that must be made prior to the AGM in February, 2006 but it is our intent to involve members of the Association in committee format to try to solve the problems as they come up. The goal is to complete the change by the AGM in 2007.

Our bylaws will need to be amended and this will be a project for another committee. Under the bylaws as they exist, the Board cannot fill a vacant position when someone resigns. We have also created a new position of Membership Coordinator that

must be added to our list of positions covered by our bylaws.

A very time consuming task that has been undertaken by the Membership Coordinator is the transfer of all membership information to a database that can be easily up-dated. This will take many hours for initial input but the results will be a document that can be kept current as new information is provided by Strata Councils or Individual members.

In a conversation today (March 10, 2005) with Susan of the Homeowner Protection Office, I was able to determine that strata owners who received no-interest loans to repair their leaky condo unit will be able to request a second loan if there is a new building envelope study by a different company. We will be actively following up on this information as several of our member corporations will be starting into a second remediation program this spring. An owner up-Island has offered to work on this committee with Board members.

Our first seminar of the 2005 season will be held on April 3, 2005, with registration beginning at 12:30 p.m. at the Trafalgar / Pro-Patria Legion, 411 Gorge Road East, Victoria. Elaine McAndrew and Mowe Warwick will present a discussion of Bare Land Stratas and how they differ and how they are the same as all other strata plans. The second half of the program will be on Good Meetings: Bad Meetings; Good Minutes: Bad Minutes with ample time for questions of your President and Vice President.

Oh, yes, the other table officers for the Board are Bill Frache, Treasurer and Claudio Procopio, Secretary. We really do have a very competent Executive and Board of Directors for this year.

Florence Walker, President

KEEPING A MAINTENANCE LOG

Harvey Williams

No one has inquired about maintenance logs which is what has prompted me to write about them. I have the sense that many buildings do not keep these important records.

While strata property maintenance is usually recorded in the strata council minutes and appears as an expense in the financial reports, a separate log of maintenance and service activities facilitates proper building maintenance. A building maintenance log is a handy reminder to a strata council of maintenance that may need to be done, helps in planning for maintenance, and tracks maintenance that has not held up as warranted.

We had just such a case in our strata when some window trim peeled while it was still under warranty. Because the warranty was listed in the maintenance log, it came to the attention of the Strata Council and the painter was called back to make good on his warranty.

What should a maintenance log contain? Almost everything that is done by way of repair or improvements to a strata should be logged, no matter how small. It is particularly important to log all major repairs and services.

Each log entry should include a description of the service, who performed the service, the cost of the service and, if appropriate, when the service is likely to be required again. A maintenance log can be kept in long-hand on sheets of paper or better, on a computer spread sheet.

The following are examples of log entries:

Outside building trim painted, July 10, 2004, Jolly Painters, \$2,349, 5-year warranty

Drains serviced, Sept 20, 2004, Brighton Drains \$3,943, Guaranteed to function

Dryer vents cleaned Nov 15, 2004, Vacuum Services \$415, Need annually

A calendar of regular building services is also useful. For example:

April 15 - Wash windows (Every 4 months)

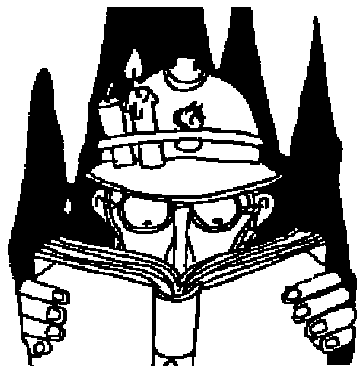
May 1 - Clean carpets (Next cleaning, May 1, 2007)

Aug 15 - Wash windows

June 20 - Fire inspection (Annually)

Strata councils and committee chairs change from year to year; keeping a Maintenance Log makes it possible for building maintenance to occur on time and as needed. A maintenance log provides a record of maintenance activities and a reminder of future maintenance needs. Every strata corporation should keep one.

If your strata council has not been keeping a Maintenance Log, whether or not you are a member of the strata council, you can volunteer to sift through past minutes and financial records and construct a maintenance log.



HAVE YOU EVER WONDERED WHY WE LIVE IN STRATAS INSTEAD OF CONDOMINIUMS?

Harvey Williams

Well, I have. And to satisfy my curiosity, I spent an hour Googling the WEB. Here is what I found out from a paper by a couple of New York City lawyers, Richard Siegler and Herbert Levy. Mr. Siegler is a member of the New York Bar Association's Committee on Condominiums and Cooperatives and Mr. Levy teaches a course on cooperative and condominium law at New York Law School.

According to Funk and Wagnall, the word "condominium" derives from two Latin terms, com, as in community meaning together and, dominium, meaning rule; literally, "together rule". So why is it not "comdominium" instead of "condominium". Somewhere along the way to the forum, "com" evolved into "con" and we now have the modern word "condominium". Any suggestion of an origin based on a different syllabification of "condominium" finds no support among etymologists.

Much of what follows comes from Messrs. Siegler and Levy's paper. They do not cite sources for their information, but if you can't believe two New York lawyers, who can you believe?

The oldest record of shared-ownership housing, i.e. condominiums, goes back some 2,000 years BC to Babylonia in what is now Iraq. Archaeologists have uncovered a document, more accurately a clay tablet bearing cuneiform inscriptions, describing the sale of the first floor of a residence while ownership of the second floor was retained. This arrangement clearly describes a condominium. The records we store on our computer drives should last so

long? And if they did, would they be decipherable?

Seeking further information on condominium history, I went back to Google and brought up the Hammurabi Code. Students of history will recall that Hammurabi was the Babylonian king author of the Hammurabi Code, the world's first known legal code. In the preamble to his code, Hammurabi expressed a desire to "bring about the rule of righteousness in the land, to destroy the wicked and the evil-doers; so that the strong should not harm the weak...to enlighten the land, and to further the well-being of mankind." I went back to Google and looked up a translation of Hammurabi's Code see if there was any mention of condominiums--perhaps a Babylonian Strata Property Act. While the Code addressed legal issues ranging from the proper treatment of errant wives and concubines to just payment for corn, none of its 282 sections (less than the 292 sections of the Strata Property Act) dealt with condominiums.

The next evidence of condominiums in ancient times reported by the New York lawyers was a papyrus deed dating from 434 BC describing a condominium apartment and its boundaries, and making reference to title insurance. Not yet discovered in Canada, title insurance insures the quality of a land title and is generally required to obtain financing for the purchase of a home in the U.S.

Roman law referred to separate ownership of upper and lower stories and side by side residences with a common wall.

Condominiums were common in medieval Europe while the country-side was unsafe and citizens had to cluster behind city walls for protection from marauders. As law and order were imposed on the countryside and citizens could spread out from the walled

cities, condominiums became less important.

Later in London, condominiums were largely replaced by housing cooperatives that provided lower cost housing. Housing cooperatives differ from condominiums in that residents own shares in the cooperative and do not hold title to their suites. Owners of condominiums, on the other hand, hold title to their suites but are tenants in common in the rest of the property such as hallways, grounds, and usually parking spaces.

While all of this may be interesting, it doesn't explain why condominiums are called stratas in BC. Could the term strata derive from the "strata as storeys" analogy? Strata means cover in Latin which weakens that analogy.

Condominium has another meaning in a different context. When England and Egypt jointly governed Sudan in the 19th Century, the governing body was referred to as the "Anglo-Egyptian Condominium". It turns out that the etymological trail from "condominium" to "strata" is cold and best abandoned.

So why do we live in stratas instead of condominiums in BC? We can blame it on the Australians who became the modern condominium pioneers when they adopted the "Strata Conveyance Act" in 1961. Then when BC drafted its first condominium act, it drew heavily on the Australian act. And that's why we own strata lots and live in strata units instead of condos.

I'd be pleased to hear from any members who can add to or even correct this account.

Planned Maintenance and Maintenance Planning

(One Leads (naturally) to The Other)

John Grubb, Unity Services Corporation

As spring makes itself apparent on our wonderful West Coast and we start spending time outside once again, the pragmatic Strata Council starts to look around to see how the property and its structure(s) fared the winter. In some cases, the Council's Maintenance Committee starts work on a set of tasks that are listed out in the Operations Manual, with a budget that is set up to handle these annual chores, and the anticipated costs that are associated with them.

For altogether too many Strata Corporations, there is no list of chores, perhaps due to the lack of the Operations Manuals that are now required from each developer, but more likely because no one has ever set out an Annual Maintenance Plan.

Many larger properties that use the services of a Strata Manager expect them to have, or put, such a plan in place, and some firms do. Others are far less proactive and, like many private home owners, simply wait for something to break down before making an effort to service it.

As a matter of good governance, a Strata Corporation and its Council are obliged to see that the property is being maintained to a standard that ensures that the value of each owner's investment is also maintained, if not enhanced. Simply put...this takes planning... for both the near term and the long term.

The Annual Maintenance Plan ensures that a list of common, "good practice", maintenance chores are undertaken each year. A well laid out Plan will not only list what should be checked and serviced, but

will also provide the "Maintenance volunteer" tasked to oversee the process, with an outline of what should happen. As various volunteers rotate through this position, the Owners can be reasonably assured of a consistent level of service for each building system.

If it is set up well, and a reporting method is incorporated for each listed building system, the Annual Maintenance Plan also becomes an historical record for use in developing the Strata Corporation's long term Capital Repair and Maintenance Plan. Here's a simple example.

A 30 Unit condominium building might have a common hot water system for all residents, made up of 3 large (100 gal) commercial, electric hot water tanks (HWT). Unlike a standard domestic tank found in a home, worth about \$350, these tanks currently range in cost from \$3500 to \$4500 each and, in our opinion, should be serviced annually by a qualified plumber. This annual check can, in our experience (dependent on local water condition and quality), extend the life of a tank by as much as 5 years.

If the plumber is required to write up a short report on the condition of each tank at the time of service, the Owners will have consistent, annual documentation. This provides the Council with the necessary information to plan for the tanks' inevitable replacement, and ensure that the Strata Fees reflect the real costs of the building's operations, by including a budgeted annual allowance within the Contingency Fund.

Obviously, not all Stratas have common hot water systems, but the same process can, and should be applied to any common building system. (See SPA Regulation Part 6 – Finances, 6.2 Guidelines for Depreciation Report).

By instating a simple Annual Maintenance Plan, that includes an outline of the inspection and servicing process, the designated volunteer owner will know what s/he, or a contracted technician, is supposed to be doing. By including a Reporting Requirement within the annual service duties, the Council can easily maintain a service history on which to base the Corporation's long term Capital Repair and Maintenance Plan.

Unity Services Corporation offers a broad range of Building Maintenance consulting services, and can assist Strata Corporations in the development of both Annual and long term Capital Repair and Maintenance Plans. We also provide complete Condition Assessment or Depreciation Reports for those requiring a "baseline" of information to enable this planning process.

Please feel free to contact us at 250-616-9298 (Nanaimo) or visit our website at www.unityservices.ca for further information.

DISCLAIMER

The material in this publication is intended for informational purposes only, and cannot replace consultations with qualified Strata professionals.

Legal advice or other expert assistance should be sought as appropriate.

Business Members

Paul Moloney,
Moloney Painting Ltd.
(250)360-6400
paul@moloneypainting.com

Tim Anderson
Strata Bookkeeping
(250)920-8467
stratabooks@shaw.ca
www.stratabookkeeping.com

Empress Painting
(250)383-5224
1-888-788-5624
office@empresspainting.com
www.empresspainting.com

Budget Septic Tank Service
(250) 478-1178
rjwfoster@telus.net

PES
Professional Ecological
Services Ltd.
Pest Control Services
(250) 383-2245

Unity Services Corporation
250-616-9298
John@UnityServices.ca
www.UnityServices.ca

Cromwell Restoration
250-978-5556
Bert@Cromwell.ca

For more information regarding Business Membership, please contact Florence Walker at (250) 920-0222.