

VISOA Webinar: Best Practices for Strata Meeting Minutes

November 7, 2020



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Question	Answer
What should be included or excluded in the minutes?	
Large amounts of extra information such as reminders and warnings are frequently included in our minutes by our strata manager. These are recurring monthly. Is this appropriate?	The minutes are a good way to communicate general information and reminders to owners - such as "a reminder to all owners that cardboard should be flattened before placing in the recycle bin". This can head off potential problems without singling out any one owner.
Example: an owner writes to council requesting that the hedge be trimmed. Is it necessary to identify the owner making the request? Can't the record merely reflect that council decided to trim hedges?	No, it's not necessary. But you could if you choose to do this. Remember to include the minimum amount of information necessary to provide an accurate account.
What is best practice for including dollar figures in minutes, or not?	If council has made a spending decision, it is likely in the motion they voted on. So it would be appropriate to include the dollar figure that was approved. Similarly the summary of arrears, bank balance etc would typically say the amount.

Question	Answer
<p>Is a record of balance of accounts required in the monthly minutes?</p>	<p>No, it's not required. But it is helpful to keep all owners informed.</p>
<p>We do not currently include our approved spending amounts for certain projects in our minutes. Should we? For example, "Council approved quote from (contractor) for \$1200 to complete pipe repairs to sprinkler system". Or is sufficient to say, "Council approved quote from (contractor) to complete pipe repairs to sprinkler system"?</p>	<p>While including the dollar amount is not required, it's a good practice to do this for transparency.</p>
<p>Should all correspondence from owners (if not confidential) be noted in the minutes?</p>	<p>No, not necessarily. In a large strata there could be hundreds of letters a month - but in a small strata with few letters you could do this if you wish. The SPA is silent on correspondence in the minutes. If you are making a decision based on a letter, that decision needs to be in the minutes.</p>
<p>There are some decisions that strata council makes regularly - to approve payment of the gardening bill every month. Our Council does that by email. Should the decision to approve payment of invoices be recorded in every month's minutes?</p>	<p>If it's a standard bill that comes up every month, there is no need to vote it every month. The approval to pay routine bills was granted by the owners when they approved the budget. The strata council could delegate the authority to the treasurer to pay recurring bills for the year, in one vote.</p>
<p>Our council makes major decisions, including financial decisions, outside of council meetings so that there is no record of a decision.</p>	<p>That's not a good practice. Between-meeting decisions are sometimes made for "minor" items - but for "major financial decisions as you describe, why not call a short council meeting and take minutes, OR wait for the next scheduled meeting.</p>

Question	Answer
<p>How do you record correspondence [between council members] dealt with between meetings? We often email council members for decision.</p>	<p>If you are having a decision made by email, a good practice is to have the mover of the motion start an email thread with the wording of their motion and ask for a seconder and all to vote. Each council member should reply to the thread, and the final decision is there for the record. Then remember to ratify that email vote at the next council meeting and record it in the minutes.</p>
<p>When we receive correspondence from a strata owner questioning the work of the strata, that requires legal advice, can we attach the correspondence from the owner and report the lawyer's findings with the minutes?</p>	<p>It's not common to attach correspondence or legal opinions to the minutes. If this is something you want to do, it may be prudent to check with your strata lawyer before doing so.</p>
<p>What kinds of correspondence should be discussed 'in-camera'?</p>	<p>Bylaw contravention hearings and hardship rental exemptions should be in-camera. Usually correspondence is not in-camera.</p>
<p>When a contravention has occurred, is any of this recorded in the minutes? Can the discussion be kept confidential until a final decision is made, at which time that decision would be recorded in the minutes that go to all units?</p>	<p>if council has received a complaint of a bylaw infraction, your decision on how to enforce it should be minuted. Remember you have to first give notice of the alleged contravention to the "offender" and provide them an opportunity to respond or request a hearing. So the matter will be in the minutes of more than one council meeting: once for the decision to send a notice of complaint, and then after the owner replies (or not), council's decision.</p>
<p>Are council hearings also council meetings with the consequential requirements? [For minutes]</p>	<p>Yes, council hearings are council meetings. Minutes are required for all meetings.</p>
<p>Can you comment on in-camera minutes?</p>	<p>That's a very large topic, and lawyers don't agree. Some say that in-camera minutes are very detailed and kept sealed; while others say that in-camera minutes are not kept.</p>

Question	Answer
AGM minutes	
<p>Does the list of proxy assignments have to be included a minutes of a general meeting? Does the registration list constitute a strata record?</p>	<p>Section 35 of the Strata Property Act lists the documents that the strata must keep. The registration list is not a document that must be kept (unless you have a bylaw that says you must keep it). So it does not have to be given out at all. That would be voluntary.</p>
Draft minutes/Distribution of minutes	
<p>Is there a requirement for the president to review the draft minutes prior to distribution to the owners? is there a rationale for doing this as a practice?</p>	<p>It is practical and recommended for one or more council members to proofread minutes before they send them out to owners. It's good to catch typos, grammar, accuracy of details such as results of votes, dates, strata lot numbers, names of contractors etc before the minutes are distributed. The rationale? - helps avoid confusion.</p>
<p><i>[If the BCLI recommendation to change the deadline for distribution of minutes from 2 weeks to 3 weeks is enacted]</i> when the change takes place to extend to 3 wks for notifying of bylaws, isn't it going to be a part of the SPA?</p>	<p>We will have to wait and see if this recommendation is enacted. Currently the deadline is in the Standard Bylaws.</p>
<p>Getting the council meeting minutes circulated to all owners in 2 weeks can be a problem. Can we change our bylaws to say we will circulate minutes in 4 weeks?</p>	<p>If you have the standard bylaw, then yes you can change it with the usual bylaw amendment process. But if the SPA changes to state the deadline for minutes in the Act, then the SPA would supercede your bylaw.</p>

Question	Answer
Do minutes say "unapproved" on them until approved?	This is not a requirement.
Do [both] the unapproved minutes and approved minutes need to be retained as public record or can the approved minutes replace the unapproved minutes [such as on a website]?	This is up to you. Usually the unapproved minutes have to be read in conjunction with the next meeting's minutes to see if they were approved as circulated, or approved with amendments. But marking them as Approved makes it clear to a reader, for sure.
How long do minutes need to be retained?	Six years is the requirement. If you have space to keep minutes that are older, that would be great and may come in handy, but it's not required.
If approving and making revisions to the prior council minutes at a council meeting, does the [full] wording actually get changed? Or just the details of the change? ie change Pat to Tom in 2a.	It's a good practice to make the change clear to the reader. In your example, I might say "Item 2a should read "[insert amended sentence]". So long as it's clear, "change Pat to Tom in 2a" works fine too!
When an owner sends in a correction to the draft minutes, how is that addressed?	The strata council is responsible for the minutes. If council is satisfied that the minutes are accurate you have no obligation to address corrections sent by owners. On the other hand, that owner may have a good point so it doesn't hurt to listen.
What if there are errors in the minutes after distributed, as identified by an owner?	Council can state the corrections in the minutes of the next council meeting.

Question	Answer
<p>After distribution of the minutes an owner sends an email requesting clarification of the minutes. Does that correspondence have to be recorded in the next meeting's minutes?</p>	<p>It might depend on the clarification they are requesting. Perhaps at the next meeting you may realize that other owners also had the same question. You might decide to add a clarifying sentence to the next minutes, or you could discuss it under unfinished business or correspondence, if you think that's appropriate.</p>
<p>Meeting Procedures</p>	
<p>Do you need a motion with a mover and seconder for all votes during a meeting?</p>	<p>The minutes don't need to state who moved and seconded, and often for routine matters all that's stated in the minutes is "council agreed to.....". It depends on the culture and formality of your strata. Just remember what the Standard Bylaw states: <i>"The results of all votes at a council meeting must be recorded in the council meeting minutes."</i> And as Cora Wilson says, <i>"If it's not in the minutes, it didn't happen!"</i></p>
<p>Our bylaws provide that the council can restrict all observers from attendance, and that a decision of council to do so is final. Does the Standard of Care under SPA apply to such decisions, so that there must be a satisfactory reason for the banning of observers? <i>[Note it is the bylaw, but rather the decision that is in question.]</i></p>	<p>The Owners could create a bylaw banning observers but it's not a very nice or transparent bylaw to have.</p>
<p>When correspondence is received should all council members be informed? For transparency.</p>	<p>Yes, that is a good practice.</p>

Question	Answer
<p>is it always the secretary to respond to correspondence? Our president has been doing them. Should the secretary be doing them?</p>	<p>That is up to your strata. Typically the secretary responds to correspondence but the task can be shared among several council members. Just so long as the response is the response of council and not the response of one council member acting alone.</p>
<p>In our strata's bylaws, decisions of council can only be made by motion and majority vote at a properly convened strata council meeting. Is it not the case, then, that (other than for emergencies), decisions cannot be made between meetings - instead, discussions can occur, and intentions can be formed, but the occurrence of a decision is reserved for the council meetings?</p>	<p>If your bylaws specifically state this, then decisions cannot be made between meetings. It might be a good idea to create a bylaw (with help from a strata lawyer) to deal with between-meeting decisions.</p>
<p>Are council meetings required every month?</p>	<p>There is no requirement in the Strata Property Act or Standard Bylaws about how many council meetings the strata should hold every year. You need at least one meeting at the beginning of the year to elect a president, vice-president, secretary and treasurer, and a meeting to prepare for your next AGM. Minutes must be done for every meeting held.</p>
<p>Privacy</p>	
<p>When an owner is in arrears on strata fees, what should and should not be recorded in the minutes?</p>	<p>The minutes often include a summary of the financial report. The report often says the total amount of arrears but does not typically identify the people in arrears. If a lien is filed against a strata lot, it would be OK to include the strata lot # in the minutes.</p>

Question	Answer
<p>Council received notification a RCMP complaint was made against an owner regarding threatening behavior. Can this be included in the minutes without identifying the owner?</p>	<p>It is not necessary or advisable to put this in the minutes at all. It's a private matter between two people - not council business.</p>
<p>What compels a council to share a list of all owners by strata or unit number? Our strata has always protected this information and restrict it only to council.</p>	<p>Section 36 of the SPA. Upon request of an owner (or some other authorized persons, see S36) the strata must provide the records if they are listed in Section 35. One of the records in S35 is a list of owners.</p>
<p>If every owner is entitled to a list of owners and unit numbers, can we put in phone numbers too? Or is that a privacy issue?</p>	<p>Some stratas have a close "family" and are fine with sharing phone numbers. I recommend that you specifically ask each owner if they want their telephone number on this list that is sent to all owners, and have them agree in writing .</p>
<p>What about audio recording SGM proceeds with permission?</p>	<p>Unless your strata has a bylaw that addresses this, or a motion is passed at the meeting prohibiting it, generally a person can record a meeting.</p>