



FIRSTSERVICE RESIDENTIAL CONNECTIONS

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FirstService
RESIDENTIAL



MESSAGE FROM JANE THORNE

CHAIRMAN

Dear Valued Client,

My vision for FirstService Residential was to ensure that it remains the most respected property management company in British Columbia. My aim was to professionalize and elevate the strata management business. With that said, I am extremely proud of the team of professionals we have assembled during this journey. This team has not only helped achieve these goals, but has also played a significant role in FirstService Residential becoming the leading residential property management company in Metro Vancouver.

After careful consideration, I have determined that the time is right to promote Scott Douglas to President of FirstService Residential BC. I will remain closely associated with the company in the Chairman position.

Scott has demonstrated an excellent track record of success in the different service businesses he has led. His principle based leadership, deep business knowledge, customer service excellence philosophy and strong client relationships uniquely qualify him to take over as President. I have no doubt he will continue to inspire our team to pursue the high level of standards we have established for our company.

I will continue to work with Scott to ensure a seamless transition. I look forward to working closely with him on a variety of strategic initiatives and special projects in my capacity as Chairman. This transition will ensure we remain dedicated to delivering high quality service to our clients.

FirstService Residential is a strong organization that will continue to innovate and lead, and I am confident that Scott will guide FirstService Residential BC in the right direction.

Sincerely,

Jane Thorne
Chairman | FirstService Residential BC



MEET OUR PRESIDENT: SCOTT DOUGLAS

It is with great pride that I enter the role of President, FirstService Residential BC. As an organization, we are focused on providing the most comprehensive service offerings currently available in the property management industry. We continue to differentiate ourselves as the property management company of choice by continually looking at how we can service our clients more efficiently through our leading technology solutions and a strong commitment from our close to 200 associates that diligently work at providing the best service to you, our customer.

Looking forward, our goal is to redefine the level of service and leadership in the residential strata management industry. We believe that fostering strong relationships with the strata councils, owners, and residents we work with, means providing tailored guidance and leadership that residents trust.

Leveraging an experienced international network of FirstService Residential partners, we are developing local operating standards and best practices

previously unseen in the property management industry. We are also focused on empowering each and every FirstService Residential BC employee in their pursuit of excellence and professional growth.

At FirstService Residential BC, our mission is clear, to deliver exceptional service and solutions that enhance the value of every property and the lifestyle of every resident in the communities we manage.

Sincerely,

Scott Douglas
President | FirstService Residential BC



◀ From left to right: Judith Harris (General Manager), Sean Ingraham (Director, Business Development), Les Porter (Executive Vice President - Retired), Chuck Fallon (CEO of FirstService Residential for North America), Jane Thorne (Chairman), Scott Douglas (President), Wendy Shum (Vice President, Finance), Roman Kocur (Regional President for FirstService Residential's North Region), Ram Atwal (Manager, HR).



“We look forward to continue serving residents with our commitment to professionalism and customer service. It is our mission to make a difference in the lives of residents we proudly serve while protecting the value of your assets.”

-Scott Douglas



AMENDMENT TO THE STRATA PROPERTY ACT

BY GERRY FANAKEN

Gerry Fanaken is the former CEO of Vancouver Condominium Services Ltd., now FirstService Residential and author of *Understanding The Condominium Concept: An Insightful Guide to the Strata Property Act*.

Be aware of a significant amendment to the Strata Property Act which became law in December 2013. It is at Section 173 Other Court Remedies. The original wording of this section authorized the Supreme Court of British Columbia to order an owner to perform a duty required by the Act or the bylaws or rules of the strata corporation. This provision was the mechanism often relied upon by strata corporations, for example, to force owners to repair their buildings. During the leaky condo crisis (and even today) if the owners unreasonably rejected resolutions to move forward with repair programs, the strata corporation would advance its case in the Supreme Court of B.C. citing Section 72 (“Thou shalt repair and maintain”) and the court would rely on that provision as well as Section 173 to order a special levy on the owners. Based on a very old precedent case from the 1990s this process was generally referred to as a “Tadeson application”, named after the condo owner who successfully brought an action against his strata corporation to force a repair program on his leaky condo.

That precedent case has been used many times by other strata corporations to force repair programs (not just for leaky condo repairs) and the required funding by special levy. Almost invariably, the courts granted the orders sought by such strata corporations when reasonable arguments were advanced by the strata council

and unreasonable arguments were countered by the owners. The court simply married the two sections referred to above and granted an order. The new amendment to the Act now adds a subsection to Section 173 which makes this process much easier. If a $\frac{3}{4}$ vote resolution “is proposed to approve a special levy to raise money for the maintenance or repair of common property or common assets...” and “if the number of votes cast in favour of the resolution is more than $\frac{1}{2}$ of the votes cast on the resolution but less than the $\frac{3}{4}$ vote...” normally required, then the strata corporation may apply to the Supreme Court (within 90 days of the meeting date) to seek an order granting the special levy.

This is an excellent amendment to the Act and will greatly assist strata corporations to achieve repair and maintenance programs when required in circumstances where at an annual or special general meeting the majority of owners approve of the resolution but not more than $\frac{3}{4}$ of them vote in favour. Do not assume for a moment that it is a slam-dunk though. The



strata corporation's case must be well-founded and supported with solid evidence. Just as some Tadeson-style applications failed for this reason, so too might some new Section 173(2) applications. Do your homework and prepare a solid case and

argument first. Then use the new amendment to get the results you want if you do not get the ¾ vote.

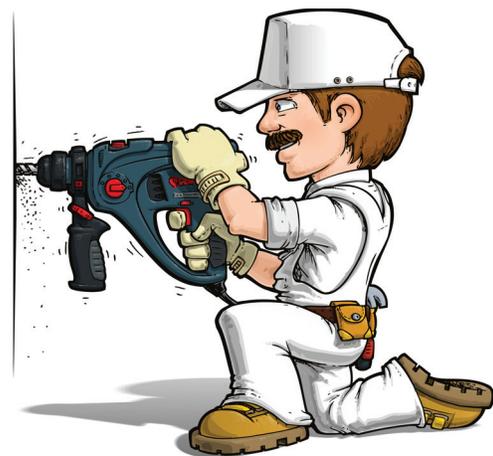
HOMEOWNER TIP: LOCATING WALL STUDS



Here is a handy tip from Jayne Touzel, FirstService Residential's Warranty Services Coordinator. With an extensive architectural background, Jayne understands the ins-and-outs of building mechanics, design and construction, assisting stratas with warranty and deficiency issues.

Don't Have a Stud Finder?

An easy way to locate metal wall studs is to use a magnet. Run the magnet horizontally across the wall - the magnetic attraction between the magnet and the steel behind the drywall will indicate the location of a steel stud - the stronger the magnet the easier it will be to locate the studs.



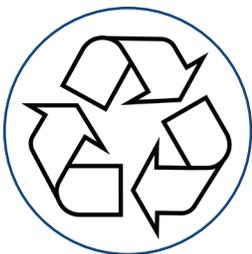


GOING GREEN

FirstService Residential Properties are Making an Impact

Measuring the positive impact that a strata's recycling efforts have on the environment is a challenging task. Urban Impact, a multi-material recycling company serving Metro Vancouver, launched a Certificate of Diversion program in 2009 to measure how much material each customer diverts from landfills every year and the associated environmental impact.

FirstService Residential recently received the 2013 Certificates of Diversions from Urban Impact for seven properties we proudly manage and the results were impressive. Below are the diversion results for the seven stratas for which certificates were received so far:



Waste Diverted:
28,348 Kgs



Carbon Credits:
99.2 tonnes



Water Saved:
795,726 L



Trees Saved:
510



Electricity Saved:
123,122 Kwh

Under the program, diversion results are estimated based on the services that each strata received throughout the year. The estimate takes into account the number and size of bins, the type of material they contain, and how many times they were serviced over the past year. Each strata receives a unique set of services, so each strata is also provided with a unique Certificate of Diversion.

For a detailed explanation of the Certificate of Diversion methodology, please visit Urban Impact's website online at <http://diversion.urbanimpact.com>.



HAFI PROGRAM HELPS SENIORS, PEOPLE WITH DISABILITIES MODIFY HOMES

The following is an article from BC Housing.

Would a new ramp, handrails or walk-in shower help you maintain your independence at home? BC Housing's Home Adaptations for Independence (HAFI) program helps low-income B.C. seniors and people with disabilities make home modifications that will allow them to continue living at home.

Through HAFI, homeowners and landlords with eligible tenants can apply for financial assistance of up to \$20,000 for improvements that make their home more accessible and safe. This financial assistance is also available for owners living in multi-unit properties who are looking for adaptations for their individual unit as well as common areas.

The goal of the program is to enable people who have physical limitations to live at home longer. People's physical needs change over time – sometimes, a small improvement to a home can make the difference between being able to live independently or not. Types of eligible projects include:

- Handrails in hallways or stairways,
- Ramps for ease of access,
- Easy-to-reach work or storage areas in the kitchen,
- Lever handles on doors,
- Walk-in showers with grab bars, and
- Bathtub grab-bars and seats.

The projects must be permanent and fixed to the home, although exceptions can be made for equipment that gives access to an existing part of the home (e.g. a bath lift).

Launched in January 2012, HAFI is funded by the Government of Canada and the B.C. government through the Canada-B.C. Affordable Housing Initiative. Approximately \$15 million in grants or forgivable loans has been allocated for qualifying B.C. residents.

To qualify for assistance from HAFI, recipients must be a low-income senior or person with a disability, a Canadian citizen or landed immigrant, and a B.C. resident. Someone in the household must have a permanent disability or loss of ability that makes it difficult to perform day-to-day activities. As well, the total household income and assets must be below a certain limit. BC Housing can tell you the income and house value limits for your area when you apply.

The program is open to both homeowners and those living in market rental accommodation where rents are at the low end of market levels; landlords must apply for improvements on behalf of eligible tenants. Eligibility requirements, an application guide and application forms are available at www.bchousing.org/HAFI or by calling BC Housing at **604-646-7055**.



The Home Adaptations for Independence (HAFI) program helps low-income B.C. seniors and people with disabilities make home modifications for safe, accessible and independent living.

EDUCATIONAL SEMINAR SERIES FOR COUNCIL MEMBERS

On February 11th and February 13th, FirstService Residential continued its educational seminar series for council members with events on “Strata Collection Procedures” and “Earthquake Preparedness for Stratas” respectively.

Following the success of our initial event on “Strata Collection Procedures” in November 2013, a second event was held at the Pinnacle Hotel in North Vancouver to continue educating council members on the impact of changes to the *Limitation Act* that came into effect on June 1, 2013. In attendance to educate council members were guest speakers Veronica Franco (Clark Wilson LLP) and Fiona Therrien (FirstService Residential).



The second event of the month was held in the lounge of Canada House in the Village at False Creek, a property proudly managed by FirstService Residential. Speaking on the topic of “Earthquake Preparedness for Stratas”, guests speakers Jackie Kloosterboer (City of Vancouver), Fiona Therrien (FirstService Residential), and Paul Murcutt (BFL Canada) were all in attendance to speak about strategies for preparing and responding to earthquake situations as strata residents.



Both events were enjoyed by council members in attendance, who became acquainted over drinks and appetizers before engaging in an informative discussion led by our guest speakers. Learning points from each event are available on our website at www.fsresidential.com under “Articles” or by [clicking here](#). For information on upcoming seminars for council members visit our “Events” page at www.fsresidential.com.

Meet the guest speakers who joined us during our most recent events to speak with council members.



Paul Murcutt

Client Executive,
BFL Canada



Fiona Therrien

Regional Director,
FirstService Residential



Veronica Franco

Partner,
Clark Wilson LLP



Jackie Kloosterboer

Emergency Planning Coordinator,
City of Vancouver

CIVIL RESOLUTION TRIBUNAL

In May 2012, the British Columbia Minister of Justice and Attorney General announced the planned creation of a new, independent tribunal offering online civil dispute resolution tools to British Columbians. The proposed Civil Resolution Tribunal Act is intended to create an alternative to the existing court-based approaches to settling strata disputes. FirstService Residential is following the development of the tribunal to keep you informed on its status as we approach its implementation. Planned to be in place towards the end of 2014, the proposed service would provide a quicker and proportionately less expensive path to resolving common civil complaints and would have the authority to handle:

- ✓ Small claims disputes where the parties decide to take the matter to the tribunal instead of the court, up to a maximum value of \$25,000 for: debt or damages; recovery of personal property; specific performance of an agreement relating to personal property or services; or relief from opposing claims to personal property.
- ✓ Strata disputes between owners of strata properties and strata corporations for a wide variety of matters such as:
 - Non-payment of monthly strata fees or fines;
 - Unfair actions by the strata corporation or by people owing more than half of the strata lots in a complex;
 - Uneven, arbitrary or non-enforcement of strata bylaws (such as noise, pets, parking, rentals);
 - Issues of financial responsibility for repairs and the choice of bids for services;
 - Irregularities in the conduct of meetings, voting, minutes or other matters;
 - Interpretation of the legislation, regulations or bylaws;
 - And issues regarding the common property.

The tribunal will not decide tribunal matters that affect land, such as:

- ✓ Ordering the sale of a strata lot;
- ✓ Court orders respecting rebuilding damaged real property;
- ✓ Dealing with developers and phased strata plans;
- ✓ Determining each owners' per cent share in the strata complex (the "Schedule of Unit Entitlement").



Such matters will continue to be heard in the Supreme Court. It remains to be seen whether this approach will be successful but any attempts to minimize the cost and encourage the early resolution of disputes is welcome. We plan to host an educational seminar for council members closer to the creation of the tribunal to discuss its impact on owners. Visit www.fsresidential.com for the latest event details. Additional information is available from the Ministry of Justice at <http://www.ag.gov.bc.ca/legislation/civil-resolution-tribunal-act/index.htm>.

We Want to Hear From You!

Email Max Gajdel at Maximilian.gajdel@fsresidential.com or call **604.683.8900** with your suggested topics, questions, ideas, and comments.

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