

STRATA PLAN EPS1945C – REMIX COMMERCIAL SECTION**TIME & LOCATION:**

4:10 p.m.
732 Marine Drive
North Vancouver, BC

**COMMERCIAL EXECUTIVE
2024/25**

President
Rose Nazeri

Vice President
Ben Lean

Treasurer
Paul Rodrigues

Strata Portal
<https://www.eps1945c.strataportal.ca>

EXECUTIVE MANAGER
Simon Wang

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ATTENDANCE

Rose Nazeri
Ben Lean
Paul Rodrigues

CALL TO ORDER

The meeting was called to order at 4:10 p.m. and a quorum was established.

(1) REVIEW OF CORRESPONDENCE

The executive board discussed the lack of response from the Residential Strata (RS) following the last communication sent by commercial lawyer, Mr. Silvano Todesco, to residential lawyer, Mr. Patrick Williams. The correspondence outlined a list of concerns raised as part of ongoing good faith negotiations, but no response has been received from RS to date.

It was noted that RS submitted a letter to the Strata Council, stating their position based on the latest advice of Mr. Patrick Williams. According to RS, the Commercial Section (CS) must pay for all common area expenses, even if they do not have access to or usage of those areas. They also requested that the Strata Council prepare a joint budget for all common expenses, to be paid from a joint account, with CS contributing to expenses related to both common areas and

any areas with exclusive residential use. This request was made without providing detailed reasoning or engaging in discussions with CS.

The executive members approved that the same list of concerns of CS be sent to the strata Corp council via the commercial manager to the strata manager, so it should be documented at strata Corp records, CS asked for a prompt and comprehensive response.

(2) RESIDENTIAL STRATA'S ACTIONS

The executive board noted that the RS is undertaking with a project to paint and install new carpets in the residential hallways, which is currently being carried out under the direction and approval of RS executives. There is no evidence or notice from Krisy Kinshela strata manager to inform CS of this project, nor any record of a formal agreement if it has been submitted to or approved by the Strata Council for this work. The extend of the liability and power of authorisation of RS to this project is unknown.

(3) RS'S REQUEST FOR ACCESS

RS believes they have the power and authority to grant or deny access to the common area to some specific section or group of owners.

On April 8th, RS stated they were ready to approve access to CS immediately should the CS withdraw their CRT claim and agree to change visitor parking stalls in the lower Residential parkade to Limited Common Property Residential. RS further stated they would agree to negotiate all Common Property Areas to LCP in a similar way to NOW.

On April 11th, 2025, RS directly requested from Strata Council that CS can have access to several areas of the building, including and must pay for the related expenses in the joint budget:

- The lobby
- Elevators
- Residential parkade for visitor parking
- Exit through the residential parkade
- The gym

The commercial executives discussed that CS has been contributing to the expenses related to building component of these areas, such as visitor parking, lobby, doors, parking gates, storage rooms and door/locks, and parkade maintenance, lighting and fire inspections, fan and sump pumps and others. This has also included costs related to the enter phone system and FOB access.

The executive board reviewed a letter from RS, which was forwarded to the commercial lawyer for the record.

(4) LEGAL AND FINANCIAL CONCERNS

The CS executive discussed several overdue unresolved issues, including:

- **Approval for EV Charging Installation:** The Strata Council approved the installation of electric vehicle (EV) chargers in three individual parking stalls within the residential parkade (one for a Strata Council member and two others in a cost sharing project), significantly altering the common area and the building's main electrical room. This alteration was made without proper documentation or valid approval, and it involved turning off the building's breaker to accommodate the installations, resulting outage of the hot water to entire building. The strata manager, Kristy Kinshela did not have records of the details of the work and she confirmed that the work was individually done by these owners. However Rogers/Shaw technician informed that the new modem installation for Wi-Fi connections was ordered by the strata manager Kristy Kinshela in collaboration with the owners and one council member.
- **Installation of Air Conditioning Units:** Several air conditioning units (including heat pumps) have been installed in residential units, altering the common area without bylaw amendments or an Electrical Planning Report.
- **Privacy Policy Concerns:** There is no privacy policy in place, despite the existence of a CCTV system in the building since its construction.
- **Financial Discrepancies:** The executive board raised concerns over unresolved discrepancies and serious issues in the financial reports and bank transactions. Despite multiple inquiries since last AGM August 2024. The strata treasurer confirmed that these issues have not been addressed by Kristy Kinshela, the manager from PQ or by the Strata Council, and required supporting documentation have not been provided, even though the inquiries were also sent to Terry Kerr from Pacific Quorum, no reply from him received.

(5) MOTION TO FILE COMPLAINTS

A motion was made and seconded, approved unanimously, to file a complaint with the Civil Resolution Tribunal (CRT) and the British Columbia Financial Services Authority (BCFSA) regarding the following matters:

- **Electric Planning Report:** Strata has not obtained the Electric Planning Report, despite a passed resolution on October 1, 2024, to allocate up to \$10,000 from the Common Reserve Fund (CRF) of the joint account for this essential report. This report is needed to assess the building's electrical capacity to support current and future needs, considering the presence of multiple A/C units, roof hot tubs, and other high-power demands. Despite this, the Strata Council allowed three units to install personal EV chargers in common area parking stalls without following proper procedures.
- **EV Charger Installations:** The installation of EV chargers in three common area parking stalls, including one assigned to a council member, was carried out without submitting valid legal documentation. These significant alterations were made without approval, and the procedures were not followed, in advance of an Electrical Planning Report. The strata manager, Kristy Kinshela did not have documentation on the strata records.
- **Financial Discrepancies:** The financial discrepancies raised by the treasurer, which have not been addressed by the manager or Strata Council, will also be part of the complaint.
- **Potential Conflict of Interest:** There is concern regarding the potential conflict of interest of the property manager Kristy Kinshela and Terry Kerr from Pacific Quorum, who serve both the RS and Strata Corp, and whether this dual role is impacting their duties to both parties. Some of the strata records as listed in S35 and S36 of Strata Property Act were requested from the strata manager, but the documents have not been provided yet.

(6) TERMINATION

With no further business to address, the meeting was terminated at 7:00 p.m.

Executive Council
 Commercial Section of
 the Owners, Strata Plan EPS1945C

Owners and residents are asked to put their requests/concerns in writing to the Strata Commercial Executive via the Strata Manager so that Commercial Executive can address them at the next Commercial Executive Meeting or earlier date if required.

Please be advised that copies of Commercial Executive & General Meeting Minutes should be retained for a period of two years. There would be a charge for extra copies.