

VILLAMAR CONDOMINIUM ASSOCIATION, INC
835 18TH ST. #100
VERO BEACH FL 32960

GENERAL INFORMATION FOR OWNERS MEETING

The Annual General Meeting (AGM) of all owners is an important meeting. The AGM is one of the main ways to help ensure accountability of the board of directors of the condominium corporation (the board) to the owners.

At the AGM, the board reports to owners on matters such as the financial health of the corporation. Attendees discuss other important aspects of condominium corporation management, any upcoming major repairs or renovations, as well as litigation involving the corporation. The AGM also gives owners the opportunity to discuss matters that are relevant to the business of the condominium corporation.

At an AGM, the following items are typically on the agenda:

- Approval of previous minutes
- Review of year end audited financial reports
- Selection of the condos bookkeeper for the next year
- Report of the board of directors regarding matters like past performance, major upcoming issues (e.g. repairs, renovations, document changes, ongoing issues)
- Election of directors

The AGM also provides an opportunity for owners to ask question of the board about the operation of the condominium.

Preliminary notices of meetings

Effective November 1, 2017, owners must receive a written preliminary notice of meeting before the actual notice of meeting. This preliminary notice will include a range of information and will note, for example, that if a person is interested in being a candidate for election as a director, they are to notify the board in writing of this intention.

Notices of meetings

The notice of the meeting itself must be in writing and given at least 15 days prior to the day of the meeting. This notice of meeting of owners will include the date, time and place of the meeting. It must also identify the business to be transacted or voted on. For example, if changes are proposed to the declaration, by-laws or rules, this must be mentioned in the notice, as well as a copy of the changes.

The corporation sends the preliminary notice and the notice of meeting to all owners, based on information in the record of owners and mortgagees that is kept by the condominium corporation.

Quorum

Quorum is the minimum number of owners that are required by law to be present for the meeting, either in person or by proxy. If there is no quorum, there can still be a discussion on a matter, but no vote can take place at the meeting. Not having a sufficient number of owners at the meeting can affect the management of your condominium corporation, as decisions will be delayed until another meeting can be called.

Effective November 1, 2017, the standard quorum for an AGM is when owners who own 25% of the units in the condo corporation are present. If the quorum is not reached on the first two attempts to hold the AGM, the quorum is reduced to 15% on the third and on any subsequent attempts.

Voting rights

Condo owners will be allowed to vote at an AGM so long as they are entitled to vote at the meeting and are present to vote in person or by proxy. The right to vote can be lost if amounts are owing for common expenses. Only one vote is allowed per unit, so if the condo owner co-owns a unit with one or more other persons, the vote must represent the majority of the owners of the unit. If the owners of a unit are evenly divided on how to vote, their vote will not be counted.

In some condominiums, parking spaces or storage lockers are considered “units”. No vote is allowed in respect of such a unit unless all the units in the corporation are used for such purposes.

In some situations, the mortgagee of the unit may have the right to vote at the meeting in place of the unit owner. If such right has been communicated to the condominium corporation, the mortgagee will receive notice of the meeting.

A right to vote at a meeting can be done by way of a **proxy**.

Voting Method

Effective November 1, 2017, the following changes to voting method apply:

Votes may be cast by,

- (a) a show of hands, personally or by proxy; or
- (b) a recorded vote that is,
 - (i) marked on a ballot cast personally or by a proxy,
 - (ii) marked on an instrument appointing a proxy, or
 - (iii) indicated by telephonic or electronic means, if the by-laws so permit

Also, condo owners now have the right to keep the content of their votes secret. Under certain conditions, a condo corporation can pass a by-law to amend or repeal this right. For further details, please see section 14.1 of O. Reg. 48/01 under the Condominium Act, 1998.