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## Condo Smarts

Headline: How much notice is required?

Topic: Annual General Meeting, Notice

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Written by: Tony Gioventu

**Dear Tony:** What is the minimum required notice a strata corporation has to provide for an Annual General Meeting? Our strata corporation/property manager, issued notice by email. Not all owners have consented to receiving email notice and 2 owners have not provided an email address. The notice was issued 16 days before the meeting. The property manager who chaired the meeting declared that the notice met the requirements of the Act, and the meeting could proceed. Several owners objected as there were no provisions for out of town owners to attend electronically, and challenged the notice period. After an hour of dispute over the notice, the property manager declared the meeting adjourned.

*DJ. R, Abbotsford*

**Dear DJ:** Where the term “notice” is used, in the *Strata Property Act*, the best practice to ensure everyone receives notice and decisions of the strata corporation are not challenged based on incorrect notice is 20 days.

This will apply to general meetings, collections, and enforcement of bylaws that rely on a demand notice for payment maturing. Considering many strata owners have varying methods of receiving notice of a general meeting, and a strata corporation cannot ensure complete notice to everyone for the shortest periods, apply the notice period of 14 days, plus 4 days for the delivery of the notice plus 2 days under the *Interpretation Act* for the issue and receipt of the notice. By issuing a notice 20 days in advance, you will comply with the notice requirements of a general meeting, regardless of the method of notice.

Notice may be issued by hand, by mail, by fax or by email if an owner has provided an email for the purpose of receiving notice from the corporation.

It is the responsibility of the strata corporation to maintain the owner-tenant list and the notice instructions.

Many strata corporations also have bylaws that affect an owner’s voting eligibility or their eligibility to be elected to council or continue to remain on council if the strata corporation is entitled to file a lien against that owner’s strata lot. For a lien to be filed it must only be applied for arrears of items such as strata fees, special levies, and interest incurred on those fees. Before these bylaws can be enforced, a demand notice stipulating the amounts owed must be issued and the same period of 20 days notice is calculated before the bylaw can be enforced.