



CONDO LAW
FOR ALBERTANS

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Condominiums have 4 key meetings – meeting to elect first board, board meetings, Annual General Meeting (AGM), and special general meetings. Every condo corporation has a set of bylaws that inform where, when, and how these meetings take place.

	Meeting to elect first board	Annual General Meeting (AGM)	Special General Meetings	Board Meetings
What is it?	A meeting (also known as a turnover meeting) held by the developer to elect the first board. If the developer does not hold the meeting, then an owner can convene it.	An annual meeting for all owners to come together to discuss major decisions affecting the condominium corporation and elect the next board.	Meetings outside of an AGM where owners or the board may want to discuss important issues regarding the condominium corporation.	Meetings where board members come together to discuss issues about the day-to-day management of the corporation.
How often are they held?	Held within 90 days from the day the certificates of title to units (representing 50% of total unit factors) have been issued.	First AGM is held within 12 months of the condo plan registration. Subsequent AGMs are held once every year, within 15 months of the previous one.	As needed by the condo board and unit owners.	Regular meetings are best practice. Board members and/or the condo's bylaws determine how often a board meets.
How are they called?	Check your condo bylaws, there may be more information on how these meetings are called.	Condo board must give at least 14 day written notice before the AGM to owners and mortgagees.	Condo board must give at least 14 day written notice before the meeting to owners OR owners with units representing at least 15% of total unit factors provide a written request to hold the meeting	Check your condo bylaws as they outline the procedure for how and when they can be called

	Meeting to elect first board	Annual General Meeting (AGM)	Special General Meetings	Board Meetings
How many people must be present for a meeting to proceed?	Check your condo bylaws. They specify what is needed for a quorum. A quorum is the minimum number of people required to be present at a meeting so that the decisions made at the meeting are valid.			
How are resolutions passed?	Check your condo bylaws. Typically bylaws will require that resolutions are passed by ordinary or special resolution . To pass an ordinary resolution , the condo corporation requires a majority vote or a resolution signed by owners representing more than 50% of the total unit factors. To pass a special resolution , the condo corporation requires support of at least 75% of unit owners who represent at least 75% of total unit factors.			Check your condo bylaws. Typically bylaws will require that resolutions are passed by majority vote.
What is the order of business?	Check your condo bylaws.	Check your condo bylaws. The suggested order of business at an AGM and special general meetings is as follows: <ul style="list-style-type: none"> • Call to order by the chair • Calling of the roll and certifying of proxies • Proof of notice of meeting • Reading and disposal of any unapproved minutes • Reports of officers • Reports of committees • Election of board members • Unfinished business • New business • Adjournment 		Usually determined by the board
What are the rules of conduct?	Meetings are conducted according to the rules of conduct adopted by the board. Otherwise, you may wish to consult with the Robert's Rules of Order.			



TIP

The condo corporation must prepare financial statements, an annual report on the reserve fund and an annual budget and distribute those documents to owners at least 14 days before an AGM is held.



TIP

When owners (with units representing at least 15% of total unit factors) make a request in writing to hold a special general meeting, the board must comply with the request by holding the meeting within 30 days and giving written notice to each owner at least 14 days before the meeting. If the board does not hold the meeting within the 30 day time period, the owners may convene the meeting.

Taking Minutes

The condominium board should always take minutes at its board meetings to provide a history of why it made certain decisions. The board should also ensure that minutes are taken at meetings involving the unit owners, such as the AGMs and extraordinary general meetings.

Meeting Venue

Board and general meetings must be held in the municipality in which the units are located unless an ordinary resolution says otherwise.

Electronic participation

Board members can participate in board meetings via electronic or other communication facilities, as long as board members and meeting attendees can hear each other. Board members are considered to be present at a meeting if they participate in a board meeting via electronic or other communication facilities.

Voting rights

All condominium owners have a right and responsibility to vote. Voting rights are based on the owner's unit factor. Where there is more than one unit owner, the condo's bylaws clarify who has the right to vote. If an owner's unit is mortgaged, the mortgagee (money lender) has first priority to vote if written notice is given to the condominium corporation and the mortgagee is present for the vote. Anyone eligible to vote can do so in person or by proxy. If an owner owes money to the corporation (for example, contributions or fees) for 30 days or more prior to a vote, the owner loses his or her right to vote.

Resolutions

Owners may vote on 2 types of resolutions: ordinary resolutions and special resolutions.

An ordinary resolution is usually about the day-to-day operations of the condominium. To pass an ordinary resolution at an AGM or extraordinary general meeting, there must be:

- a majority vote or
- a resolution signed by owners representing more than 50% of the total unit factors.

A special resolution is about a change that could permanently impact all owners. To pass a special resolution at an AGM or special general meeting, at least 75% of unit owners representing at least 75% of total unit factors must agree to it. A special resolution may also be passed in writing.

A condo board must understand that different matters have different resolution requirements.

The table contains examples of ordinary resolutions and special resolutions.

Matters requiring an Ordinary Resolution (majority vote or signed resolution representing more than 50% of unit factors)	Matters requiring a Special Resolution (at least 75% of unit owners representing at least 75% of total unit factors)
<ul style="list-style-type: none">• Change venue of board and all general meetings (resolution must be passed at a general meeting)• Restrict or direct the powers and duties of the corporation (resolution must be passed at a general meeting)• Change the corporation's address for service• Remove a board member before the member's term of office expires	<ul style="list-style-type: none">• Change a bylaw• Acquire or dispose of an interest in real property• Remove funds from a capital replacement reserve fund for making capital improvements• Transfer or lease the common property• Accept on behalf of owners a grant of easement or restrictive covenant benefiting the parcel• Execute on behalf of owners a grant of easement or restrictive covenant burdening the parcel• Terminate the condominium status of the building/parcel• Sell the condominium property or any part of it when the condo status or parcel is being terminated• Merge land• Change the condominium plan• Allow the condo corporation to carry out the functions of a qualified person (only for condo plans containing less than 12 units)



CAUTION

A condominium corporation may have different bylaws which guide voting and resolution processes for different matters – you should always check your bylaws to ensure that you are working with the correct information.