

## Voting Terminology Demystified

by Deborah M. Howes, A.C.C.I., F.C.C.I., C.Arb., C.Med

Condominium Boards, owners and practitioners use a variety of terms to refer to different types of votes used in condominium. The recent changes to the Condominium Property Act created more voting situations as well. Here is a practical guide to voting terms for condominiums.

### Ordinary Resolution

A vote where 50% + 1 of the vote means a motion is adopted. Other terms for this type of vote are "majority vote" or "simple majority vote". If the vote occurs at a meeting, 50% + 1 of the persons at the meeting (in person or by proxy) can approve a motion. If the vote occurs in writing (using a written resolution), owners representing 5001 unit factors must vote in favor of the motion. Most business conducted at an annual general meeting or an extraordinary general meeting uses these votes.

### Special Resolution

A vote involving a two part majority. Both parts must be met or the motion is defeated. In part one, 75% of the owners entitled to vote must vote in favor of the motion. Those 75% of owners must also hold at least 7500 unit factors. If the vote occurs at a meeting, the meeting chair must ensure the vote is recorded in a way that enables the chair to count both the voters and the unit factors voted. If the vote occurs in writing (using a written resolution), the Board must tally both the owners voting and the unit factors represented by those owners. Votes on by-law changes, plus amendments to the condominium plan, require a special resolution to pass.

### Show of Hands Vote

As the name implies, this means a person raises a hand or voting card to indicate if the person supports or rejects a motion that is under consideration. Another version of the show of hands vote is the standing vote, which means people stand instead of raise their hands. Rules about who gets to vote in these votes are set out in the Corporation's by-laws and will vary from condominium to condominium.

### Poll Vote

As identified in the previous article, VOTING a poll vote is a vote which is most often (check your by-laws) decided based on the weight of the unit factors. The number of unit factors required depends on whether it is a poll vote requiring an ordinary resolution or a special resolution.

### Special Ballot Vote

A vote where the voter's identity is kept secret. Most people are familiar with this type of vote in a federal, provincial or municipal election. Technically, secret ballot votes do not exist in condominiums, but many owners prefer a secret ballot when using a poll vote so they can freely express their wishes without fear of comment by other owners.

### **Proxy Voting**

This means the person who was entitled to vote gives someone else the authority (in proxy form) to vote on his or her behalf. The holder of the proxy then votes either as he or she wishes on each motion or may have specific directions from the proxy giver to vote in a certain way on certain votes (for example, I want you to vote for A, B, C, and D in the election). Proxy voting is often not allowed at a Board of Directors meeting (Check your by-laws)