

**MINUTES OF THE SPECIAL GENERAL MEETING
OF THE CO-OWNERS' SYNDICATE OF MANOIR IV
HELD ON OCTOBER 16, 2018 AT 7:00 P.M. IN THE RECEPTION HALL**

PRESENT:

The administrators: Denise Arcand, Mohammed Hmamouchi, Jorge Zylberberg

The meeting officers: Marianne Samaan, Vice-President (acting President)

Jacqueline Siag (Secretary)

Guest: Mtre. St-Onge

The co-owners: Please note that the list of the co-owners present at the Special General Meeting is available at the Administration office for consultation on the spot only. Several co-owners have requested that their name and apartment number not be distributed out of respect for their privacy.

Type of unit	Total number of units	Number of people present at the SGM	% representation according to the units	Value of votes per unit	Potential number of votes	Total number of votes at the SGM
4 ½	62	15	18.8%	44	2728	660
5 ½ centre	60	18	28.2%	55	3300	990
5 ½ corner	62	30	52.9%	62	3844	1860
	184	63	99.9%		9872	3510

AGENDA:

1. Opening of the Meeting
2. Adoption of new regulations concerning cannabis:
 - a. In the common portions
 - b. In the common portions reserved for the restricted use of the co-owners
 - c. In the private portions
3. Closing of the Meeting

While waiting for the quorum, Mme Arcand explains that Marianne Samaan is presiding over the Meeting in place of Lucie Chagnon (President) who has had to undergo surgery.

1. Verification of the quorum and opening of the Meeting

The acting President announces at 7:45 p.m. that the number of votes present is 3510 and the required number is 4937. Since the quorum of votes has not been reached, Mme Samaan suggests one of the following two procedures: to wait until 8:00 p.m. for the opening of the Meeting or to begin right away. The people present accept the second procedure.

Opening of the Meeting

It is resolved to proceed to the opening of the Meeting.

Proposed by Adèle Mascisch (1502)

Seconded by Jacques Robitaille (502)

Adopted.

Marianne Samaan, after welcoming Mtre. St-Onge, explains his attendance is to help us to make a well-informed choice concerning the regulations to be adopted in view of the imminent legalization of cannabis.

Mtre. St-Onge thanks us for the welcome and mentions that he will not go ahead with reading the suggested regulations, but instead will explain the “why” of this approach.

Why now: because tomorrow, October 17, 2018, it will be allowed to obtain and to smoke cannabis without any penalty and that after the legalization, this will be a right. One could then find oneself in a situation where it would be difficult to protect the right of the co-owners who do not consume and for whom the secondary smoke can cause health problems, all while provoking disputes among neighbours. The situation is different if today we regulate:

- a) **That it is prohibited to consume and to cultivate cannabis in the common portions of the co-ownership.**
- b) **That it is prohibited to consume and to cultivate cannabis in the common portions of the co-ownership reserved for the restricted use of the co-owners.**
- c) **That it is prohibited to consume and to cultivate cannabis in the private portions of the co-ownership.**

The fact of growing cannabis is by itself illegal under the provincial law of Québec.

Question: Karen Hoffman (1406) questions on page 3 item b, the term “consumption” and why not use the term “to smoke”.

Reply: Mtre. St-Onge replies that the rule must be wide enough to avoid abuse. It must not be too specific and narrow, which would eliminate other situations. Indeed, the prohibition aims at the fact of smoking.

Question: Renée Georges (711) complains to be often sick because of an odour that could be of cannabis present inside her unit and in her balcony. She asked what recourse she would have in such a situation. Should she call the police?
Reply: Mtre. St-Onge advises against going to the police as they have no authority in relation to these problems especially after the legalization of cannabis. In such a case it is the Administration that should act if the rules are adopted.

Question: Jacqueline Siag (702) asks whether there is a solution when the smoke which bothers comes from an ordinary cigarette.

Reply: Mtre. St-Onge replies that the regulations which are being discussed at present, exclusively concern cannabis. Regarding the ordinary cigarettes, the neighbours should be able to speak to one another and to try to settle the situation.

Question: Jorge Zylberberg (1605) questions the case of a person who smokes cannabis and who denies it, claiming that it is just a simple cigarette being consumed: he asks how to prove it.

Reply: Mtre. St-Onge declares that it is quite easy to detect the difference, it emits a specific odour which can be identified by perhaps several competent persons.

Question: Adèle Mascisch (1502) asks the Administrators whether the co-owners who rent their unit will be informed of the rules on cannabis, so that they will be able in turn to notify their tenants to respect these rules.

Reply: Mme Denise Arcand, Administrator (1612) replied that not only the co-owners will be notified but also the tenants.

Question: Réal Cyr (1604) questions why make the distinction between the cigarette, the pipe or the cigar which give off smoke as unpleasant and noxious as the cannabis.

Reply: Mtre. St-Onge suggests that at a forthcoming Annual General Meeting this question could be raised and perhaps voted on. On the other hand, he repeated that this Special Meeting only concerned cannabis.

Comment: Nazar Saaty (505) wishes to speak to the co-owners by raising four concerns.

He finds that it is unfair to penalize a co-owner with fines when his tenant infringes the law even if the information has been provided to the tenant. The co-owner will always be able to assert his rights to the tenant but will have to go to court, which would be very onerous.

He finds that it is illogical to forbid the consumption of cannabis on the balconies, while the consumption of tobacco is not forbidden on the balconies.

Concerning the cultivation of cannabis, he finds it unacceptable to regulate what the co-owners do in their home as long as it does not cause neighbourhood disturbances.

He expresses his uneasiness concerning the right of the Syndicate to interfere in the medical story of the co-owners/tenants. This resolution aims at granting an infringement of therapeutic goals, which includes the reasons (by a doctor) for which a resident consumes cannabis.

Reply: Mtre. St-Onge replies that to protect oneself, the co-owner should add a clause to the lease which would make the tenant responsible for any breach concerning the regulations regarding cannabis and even the regulations in general.

Even if the federal law legalizes the consumption of cannabis, that doesn't mean that it can be consumed anywhere. Concerning the cigarette, it is already prohibited to subject others to second-hand smoke.

Concerning the cultivation of cannabis, Mtre. St-Onge says that anyway, the provincial laws forbid any private cultivation of cannabis.

Concerning the use of cannabis for therapeutic purposes, Mtre. St-Onge informs that there exists a "federal register for legal cannabis" where the name of the user is registered, and which allows the user to have an official card to that effect. The reason is not mentioned there since it remains confidential. This acceptance follows upon the examination of the patient. A dispensation is then granted to the user. If it is a question of cannabis pills, there is no problem.

Question: Misho Vasiliev (704) asks what there would be to do if a resident grows cannabis, because the electricity bill would increase.

Reply: Mtre. St-Onge replies that in any case, it is illegal to grow cannabis. It can be detected by the humidity which it emits.

b) **That it is prohibited to consume and to cultivate cannabis in the common portions for restricted use of the co-ownership.**

Mtre. St-Onge informs that it is practically the same situation as item a) and the penalties are rather the same.

c) **That it is prohibited to smoke and to cultivate cannabis in the private portions of the co-ownership.**

Mtre. St-Onge explains that it is more harmful to smoke in the private portions, because of the limited space and the quick movement of smoke which goes to the neighbour's portion. In the case of a dispensation, the person makes a request to the Syndicate to consume medical cannabis. The Administration does not need to know the reason if the person is registered and proves it by presenting a special card which has been granted. This dispensation can be a reasonable arrangement. If it becomes unreasonable, this dispensation can be cancelled.

Question: Nazar Saaty (505) would like to know concerning the fines, how to prove that a resident smokes cannabis.

Reply: Mtre. St-Onge replies that if a complaint is made and that gradually other complaints are added to it, there would be good reason to believe there is a real problem. The Syndicate can then take action.

Comment: Nazar Saaty (505) makes known the fear that measures could be implemented in an excessive way.

Reply: Mtre. St-Onge replies that if there is abuse, it can be rectified at the next meeting.

Karen Hoffman: (1406) asks that since it is prohibited to smoke cannabis in the private portions and the balcony, why not include in this regulation the one of the building which allows smoking a cigarette in the private portions and the balcony.

Mtre. St-Onge: replies that it is a question which should be discussed with the Administrators during a meeting.

VOTING SUMMARY

Special general meeting for the Co-owners of Manor IV - Cannabis

		Regulation # 1, Common portions					
		# of votes		# of votes		# of votes	
	In favor of adopting the regulation	Vote value per unit	Total	Against adopting the regulation	Vote value per unit	Total	Void
4 1/2	15	44	660	0	44	0	0
5 1/2 Centre	17	55	935	1	55	55	0
5 1/2 Corner	30	62	1860	0	62	0	0
Sub total - #votes	62			1			0
Total (number*value)			3455			55	0
%			98.43			1.56	

		Regulation # 2, Common portions for restricted use					
		# of votes		# of votes		# of votes	
	In favor of adopting the regulation	Vote value per unit	Total	Against adopting the regulation	Vote value per unit	Total	Void
4 1/2	15	44	660	0	44	0	0
5 1/2 Centre	15	55	825	3	55	165	0
5 1/2 Corner	28	62	1736	2	62	124	0
Sub total - #votes	58			5			0
Total (number*value)			3221			289	0
%			91.77			8.23	

		Regulation # 3, Private portions					
		# of votes		# of votes		# of votes	
	In favor of adopting the regulation	Vote value per unit	Total	Against adopting the regulation	Vote value per unit	Total	Void
4 1/2	13	44	572	2	44	88	0
5 1/2 Centre	14	55	770	3	55	165	1
5 1/2 Corner	28	62	1736	2	62	124	0
Sub total - #votes	55			7			1
Total (number*value)			3078			377	1
%			87.69			10.74	

Closing of the Meeting

Proposed by Jacques Robitaille (502)

Seconded by Carol Saykaly (911)


 Jacqueline Siag, Meeting Secretary


 Marianne Samman, Acting President

Thanks to Carol Saykaly for translating these Minutes.