



PRESTIGE BELLA VISTA FLAT OWNERS WELFARE ASSOCIATION - PBVFOWA

Minutes of the Extraordinary General Body Meeting 2023

of the

Prestige Bella Vista Flat Owners Welfare Association (PBVFOWA)

Place: Prestige Bella Vista

Time: 15:30Hrs

Day & Date: Sunday, June 04, 2023

1. Number of Members present at scheduled time, 15:30 Hrs.: ----- 40
2. Meeting was adjourned to 16:00hrs.
3. Number of Members present at 1st adjourned time, 1600 Hrs.: ----- 150
4. Meeting was adjourned to 16:10hrs.
5. Number of Members present at 2nd adjourned time, 1615 Hrs.: ----- 219
6. Total number of Members attended after adjournment -----269

The meeting proceedings are also recorded live using Video Camera and the link for the recorded video will be shared to all members post the meeting.

PBVFOWA extended the invite to Kith and Kin of the Owners who could not attend to EGM. Therefore, Kith and Kin/Immediate blood relatives invited to witness the proceedings. 55 of them joined and they were seated separately to see the presentation in live screen.

AGENDA 1 & 2: Mr. L GOWRI SHANKAR, Secretary, PBVFOWA started the Extraordinary General Body (AGM) meeting by welcoming the Members at 16:00 Hrs. As the quorum was not present, the EGM was adjourned twice by thirty minutes & 15 Minutes respectively up-to 16:15 Hrs. as per Clause 18.5.2 of the Byelaws of the Association and the EGM was declared to have begun by the Secretary at 16:15Hrs.

Secretary requested the President to come to Dias and Chair the EGM and requested the other Office Bearers (OB) to occupy the seats on the Dias.

Agenda 3: Secretary requested Chairperson and President Mr RAMESH BABU, of the Association to present his welcome address.

AGENDA 4: President invited few lady members to light KUTHU VILAKKU. Then requested all those present in the hall to rise for the prayer song Thamizh Thai Vazhthu.

Agenda 5: President began his welcome address by reading the AGM Agenda notice, welcomed all Members, members of the Management Committee (MC), OBs for the EGM2023. He also thanked the MC Members and office bearers for their support and encouragement during the term and briefly shared the background of this EGM, Proposed Agenda and Various steps taken by the association towards community welfare and readiness of the association for situation such as Handing over of the property from developer post Statutory clearances and solutions for pending issues and running the operations post takeover of the property. Transcript of president address is enclosed as annexure to the minutes. Refer **Annexure 1**

With this, Chairman EGM, requested Secretary to take over the further proceedings and present per the **agenda point no.6.**

Secretary thanked the chairperson for his detailed address to members and thanked the office bearers, members for participation in the extraordinary general body meeting.



PRESTIGE BELLA VISTA FLAT OWNERS WELFARE ASSOCIATION - PBVFOWA

Secretary began his presentation with “Slides displayed on LED Screen and TVs” of the following to presented members.

- High level overview of Prestige Bella Vista & Project Amenities, Infrastructure
- High level overview of PBVFOWA & Management Committee details, Initiatives undertaken.
- PBVFOWA Compliances to Registrar of Societies requirements and documentations
- Status of various cases pertaining to PBV filed by Association including RERA.
- Background to this EGM, MC Communications, Appointment of finance committee, notices to members about the EGM and timelines
- Byelaw Provisions for Conducting the subject EGM, Rules followed, participation of members.
- Communications received from PEPL, PPMSc regarding third and final CC, handing over and budget for Operations and maintenance of the property, direct charges to be paid by PBVFOWA.
- Extensive work done by the MC Team and HOTO Team to prepare association for any HOTO Situations which may arise post PEPL obtaining statutory clearances such as CTO and providing acceptable solutions to pending deliverables.
- Following the above, the SINGLE POINT AGENDA on “Budgetary estimates for various immediate expenditures PBVFOWA may have during HOTO and post HOTO and processes to be followed for implementing” the same post EGM Mandate.

Secretary further explained the members why the subject Agenda and EGM was very critical, and timing of this meeting to take members views are very important, as there are continuous emails from PEPL asking PBVFOWA to take over and the RERA act says, common are and amenities maintenance shall be taken over association within three months from the date of intimation by the promoter upon completion of the project.

Secretary also reiterated that, PEPL has only obtained third and final CC for all towers, however CTO “Consent to Operate” is pending along with host of unresolved issues such as non-allotment of car parking, inadequate waste compost machines, deterioration of services and quality of living due to poor maintenance and return of the corpus funds with interest to the association at the time of handover.

Secretary stated that, the Association has represented on all the above unresolved and pending issues with RERA and petition is admitted by RERA and listed with **C. No. 143 of 2022**.

Copy of the presentation is enclosed with minutes. **Refer: Annexure 2**

With this secretary completed his presentation and requested chairperson approval to move to Agenda Point 7 & Q&A.

Chairperson thanked secretary and opened the floor for Q&A

Following are the Points discussed in Q&A session.

- *Member Ananth Kumar 5052* asked about till when residents have to pay CAM to PPMS.
 - Secretary and President responded that, PBVFOWA will communicate to members about the same post HOTO and till such time residents may continue to pay to PPMS.
- *Member Chakrapani 9A 9034* - Highlighted Team O's (prior to 2017) contribution to PBV and also shared his views that, collection of contributions from members is time consuming and TWO months period to stabilize CAM collection won't be sufficient. Further he also shared that association should take note of taxation impacts on collected funds.
 - President acknowledged the work by Team O and further requested treasurer to respond regarding collection of funds and taxes. Treasurer thanked the member for his inputs and same is noted.
- *Member Rangarajan 20045* – Currently we are paying CAM with GST. If we pay to association, will we have to pay GST?



PRESTIGE BELLA VISTA FLAT OWNERS WELFARE ASSOCIATION - PBVFOWA

- President requested treasurer to respond on taxes. Treasurer shared that since currently we are taking services from PPMS, there is taxes, however, post take over the taxes will be reviewed on the eligibility for PBV and communicated to the members.
- Member Amitabh Shrivatsa 2185 – What is the timeline for car park? When we pay CAM at Rs. 2.5 per sft, they are not giving us a cleared receipt.
 - Secretary shared that the issue of CAR Park is complex and long pending to be resolved by PEPL. He further stated that the issue of car parking has two folds. 1. As committed by the builder to the buyer at the time of sale, where there is a breach of commitment by overselling without proper plan approvals and non-allotment to the buyer and 2. Violation to common area at large including encroaching roads, Driveways & passages, in front of electrical and gas panels, balconies, loss of greenery and so on through haphazard car parking allotments.
 - Secretary further stated that the issue of car parking is also taken up with RERA praying to Hon Tribunal directive to direct the builder to provide appropriate car parking solution duly complying to statutory requirements & approvals.
 - On CAM, Secretary shared the legal opinion obtained in the year 2019 by the association and now in 2022 before approaching RERA, legal counsel advises the members shall continue to pay CAM and association also have given the advice to members to 'continue to pay as per the bilateral agreement'.
- Member – Unit 6124. As per PEPL, 38 Cr CAM is outstanding ...what is the actual outstanding? Instead of engaging a HOTO agency, we should engage a team who can continue maintaining the property. If not, the agency is going to get frustrated and give us a list of issues and walk away.
- Member Sriram 20031 – Penalty for not paying one-time payment.... consequences are not clear. The consequences should be clear. If we have to take over after 3 months, what is the backup plan if the EGM resolution is not passed? What happens?
 - Secretary & President shared to the member that all members are bound by the EGM mandate and PBV byelaws have built-in provisions to invoke penalty on dues to be received by the association. Further byelaw also has provisions to take steps to recover dues beyond 90 days
- Member Illangovan 10153 – Need ensure that we will not compromise on any of the deliverables. Can the collection be deferred?
 - Secretary responded that, Association has shared in many forums & and in reply to PEPL, that any HOTO Discussion with developer shall begin only after availability of CTO and acceptable solutions to pending deliverables. However as said in the initial presentation, circumstances and communications received by PBVFOWA from PEPL suggests the association needs to be prepared on many fronts such as administrative, legal, vendor evaluations and financial stability to meet direct expenditures. Hence the EGM and proposed resolution is only in that direction.
- Member Sriraman 3095 – Said, Defer the voting for a few days as he felt this resolution if passed, may make the service provider to walkout.
 - Member views were recorded.
- Member Marisha 20411 – Can we make Prestige to deliver what they have promised? Can we use the corpus and replenish it? This team if passing the resolution, what is the guarantee that the next team will follow along the same steps? We need assurance that the new Team will deliver. Further member also asked if the shortlisted vendor by VC and HOTO can present to the members.
 - Secretary recalled the responses given earlier about the association stand on pending deliverable and HOTO and steps taken to protect member interest.
 - President and Secretary also shared that corpus fund cannot be used for Maintenance purpose and the same must be set aside only for any major 'capital expenditures' by PBVFOWA and builder has to handover the corpus with interest to the association upon HOTO.



PRESTIGE BELLA VISTA FLAT OWNERS WELFARE ASSOCIATION - PBVFOWA

- Secretary shared that, MC & EGM, AGM Resolutions are decisions taken by empowered forums and the same must be honoured by every successive team for implementation.
- Secretary shared that, Association is entrusted with responsibility by the members and has formed committee by inviting members, residents to take part in various committee work including HOTO & VC. The outcomes of such committee work are what presented here to members. With permission of chair, HOTO & VC Committee Chairperson Mr J Vaidyanathan, Mr Subramaniam Sundar also stood up and introduced themselves and about the team and added that committee has delivered its duty with all sincerity after series of meetings and thanked members for entrusting the responsibility on the team.
- Member Vimal 2b – CAM balance claim by PPMS
 - Secretary shared that the CAM is bilateral between buyer and builder and association position has been consistent so far. It is advisable members continue to pay as per bilateral agreements and any pendency claim beyond 2.5/Sq ft is already contested through our petition in RERA.
- Member Rajan 2176 – No car park. Can you promise that you will fight for us?
 - Secretary recalled the response provided earlier for similar question by another member and said association have taken up the issue in RERA and association will await to hear from the Hon Tribunal.
 - Jt Secretary Sabarish as well added that, the issue of car parking is complex as explained earlier and since it is also affecting the common interest of all owners, the same is also taken by the association in our RERA Petition.
- Member Radhakrishnan 17071 – What is the RERA timeline as of now? Indicative timeline to collect the money?
 - Secretary replied, as per our legal counsel the proceedings in RERA are typically faster and may conclude at the earliest.
 - The fund collection would start from early July after completing the preparatory work for collection.

With this, since there were no further questions Chairman EGM shared that the secretary would read out the proposed resolution and same will be put to Vote.

Secretary requested members to take seat and house to be in order.

At the time of resolution voting “219 Members were present in the meeting.

Secretary to read out the proposed resolution as follows.

Resolved that the proposal to collect “One-time Contribution by PBV Owners to PBVFOWA towards Securing adequate funds for meeting the immediate DIRECT capital expenditures to be incurred for consulting services provided by HOTO Vendors upon formal initiation of HOTO procedures with Builder and upon taking over the property for operations and maintenance from Developer after due completion of HOTO process” and run the operations seamlessly are hereby approved and adopted”.

The sense of the meeting was ascertained by show of hands.

Chairperson read out” Those who in favour of the resolution, please raise hands” and followed by those who are against the resolution, please raise hands.

Total Members raised hands for “YES”: 180 + 7 Office Bearers – Total 187.

Total Members raised hands for “NO: 15

17 members did not vote/raise hands.

The Resolution is passed.



PRESTIGE BELLA VISTA FLAT OWNERS WELFARE ASSOCIATION - PBVFOWA

Secretary shared the Vote of Thanks of EGM and thanked the members for overwhelming participation and also thanked the office bearers, management committee, volunteers for EGM and the facilities providers, vendors for helping the EGM proceedings successful. Secretary requested to members raise for national anthem.

EGM concluded with National Anthem at 19:30 Hrs.

Enclosure:

1. Transcript of president address is enclosed as annexure to the minutes. **Refer Annexure 1**
2. Copy of the presentation is enclosed with minutes. **Refer: Annexure 2**

EGM Photographs





PRESTIGE BELLA VISTA FLAT OWNERS WELFARE ASSOCIATION - PBVFWA





PRESTIGE BELLA VISTA FLAT OWNERS WELFARE ASSOCIATION - PBVFOWA

