

MINUTES
STRATA COUNCIL MEETING
THE OWNERS STRATA PLAN LMS 712
888 BEACH

Held on Tuesday, February 23, 2021

Via Video Conference

COUNCIL IN ATTENDANCE:	Daniel Wang	President
	Andrew DeBenedictis	Vice President
	Bev Andrews	Treasurer
	Pat Dairon	Secretary
	Mike Gallagher	Member
	Doug McDougall	Member
	Kitty Morgan	Member
BUILDING MANAGER	Narendra Chandra	
STRATA MANAGER:	Mikhail Ratchkovski	FirstService Residential

The Strata Council held a hearing with the owner of unit 1602 at 4:10 p.m. who requested finding a permanent solution to address water leaks into his suite, citing that due to ongoing issues with the plumbing the owner is concerned about the insurability of his suite. After the presentation, the owner was excused from the hearing and the issue was further discussed as part of the Council meeting agenda.

The Strata Council meeting was called to order at 4:30 p.m.

IMPORTANT INFORMATION TO OWNERS

RE: PAYMENT OF STRATA FEES / FSRCONNECT REGISTRATION / FORM K

- Owners are reminded to submit updated PAD Forms for convenient automatic withdrawal of Strata fees. ***If you require assistance in setting up payment arrangements or have any questions related to your account, please contact our Accounts Receivable directly at ar.bc@fsresidential.com or 604.684.5329.***
- The Strata Council would like to encourage all Owners to register themselves as users of **FSRConnect™** in order to have online access to the Council Meeting Minutes, Strata Corporation financial records, the Strata's Bylaws, and Rules, Engineering Reports, Building Notices, Owners' individual accounts, and public information of general interest. To register, please follow the instructions on the last page of these Minutes.
- ***Assistance and Access for Residents with no Current Form K:*** Owners are advised that the front desk will be limited in their ability to assist occupants not included in the unit information or Tenants that do not have a current Form K on file identifying them as associated with a particular Strata Lot. Owners not in compliance with the Form K Bylaws are subject to a Bylaw infraction notification, which may result in applicable fines.

- Owners are advised of the importance of ensuring that a current Form K is on file with the Strata Corporation. Form K must be updated at any time there is a change in tenancy to ensure that the occupants are listed as part of the unit information.

This includes ensuring that information is updated at any time the unit is no longer tenanted, as the current mailing and contact information on file will require updating if there is a change to the unit being Owner occupied. It is essential that Owners provide their email address to the Building Manager and sign up for **FSRConnect™**. If there were an emergency, Owners would receive an email from both the Building Manager and **FSRConnect™**.

BUILDING MANAGER REPORT

The Strata Council has reviewed the monthly report provided by the Building Manager. Specific items to be discussed and acted upon, as contained in the report, will be directed to the Building Manager and Strata Manager by Council for completion by the appropriate service provider or follow up by onsite building services.

APPROVAL OF STRATA COUNCIL MEETING MINUTES

It was moved and seconded to approve the Minutes of the Strata Council Meeting held January 26, 2021 with an amendment:

Financial Report

6. Depreciation Report and Future Projects

2. Increase the strata fees to fund the projects. The additional strata fees would be contributed to the Contingency Reserve Fund each year. The Owners would be required to approve the projects that would be funded by the Contingency Reserve Fund. ~~Approval of the expenditures would require a 75% majority vote.~~

The last sentence is amended to: Approval of the expenditures would require a 50% majority vote.

CARRIED.

FINANCIAL REPORT

1. **Monthly Statements:** After review and discussion, it was moved, seconded and carried to adopt the December 2020 and the January 2021 unaudited financial statements, as presented. The balances on the December 2020 financial statements will be adjusted by the auditors to include invoices for 2020 from suppliers and contractors that were received in late January and February.

Any Owner wishing a copy of the strata corporation's monthly financial statement should contact FirstService Residential during regular business hours, 9:00 a.m. to 4:30 p.m., Monday to Friday or go to the strata's website www.888beachvancouver.com. The Owners' Only section of the website can be accessed as follows:

User I.D. owners
Password \$B15Sea8

2. **Review of Accounts Receivable:** The Strata Council reviewed the accounts receivable as of February 12, 2021. There is a total of \$23,487 owed to the strata. Approximately 43% of the total is for strata fees owed by 4 Owners. The Strata Council follows the appropriate procedures to issue warning letters in order to place liens on these units.

Monthly statements are sent to all Owners who have balances due. The Strata Council requests that Owners who receive monthly statements contact FirstService Residential to arrange for immediate payment in full of overdue amounts. An Owner must be paid up in all arrears of strata fees and special levies in order to vote at the annual general meeting.

3. **2021 Operating Budget and Additional Funds To Be Added To The Contingency Reserve Fund**

Strata Council is recommending an increase of approximately 9% for 2021. The significant increases are for insurance, utilities and repairs and maintenance.

- **Insurance** - The actual premium for the June 9, 2020 to June 9, 2021 period was \$359,000. Our complex has recently been appraised at a higher value and the Strata has been invoiced an additional \$1,920 to cover this higher value. The insurance department at FirstService Residential advised the Strata Council that recent insurance increases have been 30-40%. Because the strata policy is not on a calendar year, any increase in the 2021-2022 premium will not fall entirely into the 2021 budget. The budget estimate for 2021 will be \$443,000.
- **Utilities** – Increases of 5-10% for electricity and gas will be included in the budget based on actual amounts paid during 2020. There was a significant increase in the water/sewer expense in 2020. The budgeted increase for water/sewer will be 25% based on the actual amounts paid during 2020.
- **Repairs and Maintenance** – This budget has been increased to include additional costs for security measures including improvement of the gates at the courtyard entrances and replacement of some storefront doors that have been recently damaged. This account will also include \$50,000 for the review of the domestic water system (piping). The estimate for the piping review is based on the actual cost of the review completed in 2014.
- **Elevators** - \$10,000 has been added to this account for 1/3 of the cost of the work to be done by KJA. The remaining \$20,000 of their quote will fall into a future budget when the elevator project is underway. The Strata Council is using KJA to review quotes regarding the elevator project and then eventually to oversee and monitor the project when it is underway. It is necessary to have a consultant involved in this project due to our previous experience on the smaller elevator project a few years ago.
- **Engineering** – \$20,000 has been added to this account to allow for a possible review of the podium projects by another engineering firm and to request additional options for the podium projects from RDH. The Strata Council has already approached RDH to initiate this process. This item may be controversial because some owners who voted in favour of the exterior podium project and have been satisfied with the previous planning and construction management of large projects by RDH would prefer to not spend more money on this issue.

- **Contingency Reserve Fund (CRF)** - The Strata Council is also recommending that \$1.2 million (\$100,000 per month) be added to the CRF in the 2021 Operating Budget. Due to the failed special levy in October 2020 and the fact that the strata has not had a significant special levy since 2017, the strata needs to progress with the projects in the Depreciation Report. The addition of the \$1.2 million to the Operating Budget will result in an overall strata fee increase of approximately 56%. The \$1.2 million is not sufficient to cover the proposed cost of the exterior podium project that is controversial to some Owners.

Adding to the CRF is one of the three suggested methods of funding in the Depreciation Reports, i.e. projects will be funded by a combination of funds from the CRF and by a special levy. When the exterior podium project is next put forward to the Owners and if the proposed cost remains at \$2.4 million, then the Strata will already have collected ½ of the funds required through addition to the CRF and the special levy to be passed by the owners would be only for the remaining estimated \$1.2 million.

Expenditures from the CRF are made in accordance with the Strata Act as outlined below:

Expenditures from the contingency reserve fund

96 The strata corporation must not spend money from the contingency reserve fund unless the expenditure is

(a) consistent with the purposes of the fund as set out in section 92 (b), and

(b) approved or authorized as follows:

(i) the expenditure is first approved by a resolution passed by

(A) a majority vote at an annual or special general meeting if the expenditure is

(I) necessary to obtain a depreciation report under section 94, or

(II) related to the repair, maintenance or replacement, as recommended in the most current depreciation report obtained under section 94, of common property, common assets or the portions of a strata lot for which the strata corporation has taken responsibility under section 72

(3), or

(B) a 3/4 vote at an annual or special general meeting if the expenditure is

- **Depreciation Reports** – Both Depreciation Reports are based on a list of items common to Strata Corporations. The suggested costs and timing of completion of projects are based on the age of the complex and the expected life of the items on the list. When the Depreciation Reports were prepared by Halsall and by RDH, neither firm did an in-depth review of each proposed project. After the first Halsall report in 2013, the Strata Council hired experts to review the urgent projects such as piping and full elevator replacements. These in-depth reviews indicated that replacement of piping was not required in 2014

and only part of the elevator project was necessary at that time. Halsall's estimated costs of projects such as podium replacements were based on formulas and not on actual testing and planning of the projects. They may well have included only a projected cost of the actual membrane replacement and may not have included the many ancillary costs such as removal and replacement of soil and landscaping material. It probably also did not contemplate the additional expense caused by the lack of vehicle access to our courtyard. When the second Depreciation Report was prepared by RDH, they had the benefit of their knowledge of the Strata including the work done on the partial podium replacements at the Beach and Ocean Tower entrances and at the townhouses and testing throughout the complex in response to water ingress issues. This knowledge enabled them to put more realistic amounts and timing in the Depreciation Report for the podium projects.

Based on the list of projects that the Strata should undertake and investigate, the Owners will have to deal with special levies in the future to cover the project costs. The addition of \$1.2 million per year to CRF will not be sufficient to cover:

- Exterior podium project
- Interior podium project
- Elevator project – being reviewed in 2021
- Domestic water system (piping) – to be reviewed in 2021

REPORT ON LITIGATION

The *Strata Property Act* requires that all Owners be notified as soon as possible of any legal action involving the Strata Corporation. To the best of our knowledge, there is no litigation to report.

COMMITTEE REPORT

1. **Landscaping:** no special projects or events to report.
2. **Fitness Centre:** Strata Council has received further correspondence from an Owner who has concerns about the closure of the pool. This matter was discussed at a later time in the meeting.
3. **Elevators:** Some time ago ThessenKrup (TK) provided the Strata Council with a proposal for the necessary upgrade of the mechanical systems of our elevators. As part of the proposal, TK indicated that there would be additional costs related to the mechanical upgrade that were not included in their proposal. The committee has been waiting for a considerable time to get a response from TK clarifying these additional items and their associated costs. The committee is using KJA to review quotes regarding the elevator project and then eventually to oversee and monitor the project when it is underway.
4. **Renovation:** An Owner would like to install a deadbolt in the door of her unit. It was decided as long the brass plate and the handle of the existing lock are not removed or affected in any way the deadbolt can be installed without further review.
5. **Personnel:** No special projects or events to report.

6. **Neighbourhood Issues:** No special projects or events to report.
7. **Bike:** A resolution to spend up to \$25,000 to build a bike cage around the newly installed racks on P2 will be proposed at the AGM. With Owner approval this project would be funded from the CRF.
8. **Security:** A new gate to improve security was installed on the Hornby entrance to the courtyard area. New gates on the Howe Street and Seabreeze Walk entrances will be installed in the coming weeks.
9. **EV Charging:** A proposal will be put forward at the AGM to install two EV charging stations on P2 at a cost of approximately \$25,000. With Owner approval, this project that would require a change of use resolution, would be funded from the CRF.
10. **AC Committee:** The Air Conditioning Committee continues to work on developing a protocol for the installation of a ductless air conditioning system in a strata lot. A new Bylaw will be presented for approval to the Strata Council after it has been reviewed by our lawyer at Clark Wilson. If this Bylaw is approved by Council, it will be presented to the Owners at the next AGM for their approval. In the meantime, the AC Committee will be developing a set of strict guidelines that must be followed in order to install a ductless air conditioning system. The limiting factor will be the size and position of the deck that is part of a strata unit. An Owner will be required to obtain a permit from the City of Vancouver to ensure compliance with the following: Vancouver's noise Bylaw, the position of the condenser unit on the deck (for safety reasons), and the maintenance of the integrity of the building's exterior membrane.

BUSINESS ARISING

1. **Directives:** The directives from the previous Strata Council Meeting have been reviewed with Council. Council is satisfied that they are being attended to at the present time. All items currently in progress are contained in these minutes.
2. **Bylaw Review:** The Strata Council is currently reviewing Bylaw amendments/additions made to our current Bylaws by a lawyer at Clark Wilson LLP to ensure that our existing Bylaws are in line with the Strata Property Act and that they are enforceable. Once the review is complete, the bylaw package will be presented to the Owners at a Special General Meeting for approval.
3. **Podium Projects:** This item was discussed under the financial report.
4. **Dryer Duct Review of Options:** The Strata Council discussed an issue identified by RDH as the result of a collapsed dryer duct within the concrete slab. It was noted that installation of a new duct within the suite itself would not be in the best interest of the strata as it would require significant alteration of the property including penetration of the building envelope and a change in exterior appearance. Based on a similar issue that occurred several years ago, the Council funded the purchase of a ventless dryer for that unit. Council will reimburse the owner up to \$2500 after the purchase of a ventless dryer for the unit. The Council also noted that this option is subject to the owner of the affected strata lot signing an indemnity agreement.
5. **Unauthorized Renovation Unit 1802:** The Strata Council tabled a permit from the City of Vancouver noting that the report has no information on the details of what the permit

was issued for. The Strata Manager will request the City to issue an updated report and it will be forwarded to the Council upon receipt.

6. **TH6/TH7 Water Leak:** This Strata Council noted that RDH investigated a water leak related to the deck drain. RDH is preparing a scope of work and requesting a quote for the permanent repairs. This matter will be further discussed at the next meeting.

BYLAW VIOLATION REPORT

Reports from FSRConnect™: The Strata Council reviewed a summary of letters and violations that were issued since the last meeting. Strata Council reviewed the complaint process and have agreed to the following:

All complaints must be in writing. A copy of the complaint form is included with these minutes. Copies are also available from the concierge. It is the responsibility of the person submitting the complaint to identify which Bylaw or Rule is being violated. Copies of Bylaws and Rules can be found on **FSRConnect™**. All complaints that are submitted will result in an “alleged” infraction letter that gives the Resident 14 days to respond in writing or request a hearing. Strata Council will then review all ‘open’ alleged infractions at their next meeting and make their decision, on a case-by-case basis, depending on the information that they have available to them. It should be noted that if there is an emergency that Owners need to be made aware of, an email will be sent to all Owners by **FSRConnect™** and/or the Building Manager.

- (a) **Bylaw Infraction: Permit Entry to Strata Lot – SL 177:** Strata Council noted that the Owner did not provide access for dryer vent cleaning on January 20, 2021 and it was moved and seconded to issue a \$200 fine for this infraction. **CARRIED.**
- (b) **Bylaw Infraction: Uninsured Vehicle and Oil Stain – SL 251:** Strata Council noted that the Owner did not respond to a request to insure the vehicle and to clean an oil stain that had soiled the area in front of the car. It was moved and seconded to issue a \$200 fine for this infraction on a weekly basis. **CARRIED.** It was noted that this matter will be further discussed at the next meeting where a decision will be made on the towing of the vehicle from the Strata Property for continuing non-compliance.
- (c) **Bylaw Chargeback: SL 157:** The Strata Council noted the costs incurred by Milani Plumbing and Cross Carpentry for the work that was done to repair the damage from the water leak that emanated from the unit's toilet on December 29, 2020. It was moved and seconded to charge back the expenses and not issue a fine. **CARRIED.**
- (d) **Bylaw Chargeback: Costs of Re-inspection:** The Strata Council noted the incurred expenses for the rescheduled fire inspection of units that missed the original date of November 24, 2020. It was moved and seconded to charge back expenses equally to the strata lots: 44, 46, 104, 119, 148, 159, 170, 177, 181, 185, 204, 241 and 252 and not issue fines. **CARRIED.**

CORRESPONDENCE

Please be aware that in order to maintain the most effective and efficient manner in which to review and respond to Owners correspondence intended for the Strata Council, Owners are politely reminded of the following procedures and information.

All correspondence that Owners would like Council to consider should be sent in writing to the Building Manager or the Strata Management Agent directly. Owners are politely reminded not to issue emails directly to Council individually.

Correspondence (if doesn't require immediate action in accordance with the *Strata Property Act*) will be added to the next Council Meeting agenda for Council review and a response (if required) will be provided within the minutes of the meeting.

The Strata Council very much appreciates Owners input/feedback and will do their utmost to review correspondence from Owners. However, it should be noted that the Strata Council members are volunteers and dedicate their own time to fulfilling the obligations of the Strata Corporation and this time is limited. As such, it may not always be possible to review all correspondence at each meeting. Please also note that the Strata Council members are not obliged to respond to all correspondence received unless there is a specific requirement under the *Strata Property Act*.

1. ***Correspondence received from a unit on the 33rd floor requesting additional cleaning of the floor and walls:*** The Strata Council noted that some of the wallpaper in the hallway has been replaced and the carpet is now in acceptable condition. The afternoon cleaner checks this floor daily due to the roof access by contractors.
2. ***Pool Closure:*** Strata Council reviewed correspondence from an Owner related to her request to open the pool. It was noted that reopening of the pool will require restarting the twice-daily pool testing and engaging the Imperial Paddock contractor in the daily maintenance schedule of the pool. It should be noted, however, that the showers and washroom will remain closed to Owners until the pandemic has been lifted. The Owner will be informed that booking of the pool can be organized through FSRConnect. The Council noted that in order to fully implement the pool re-opening the Owner will be requested to organize a group of volunteers who will oversee and monitor the schedule to ensure compliance.
3. ***Pool Rental:*** The Strata Council reviewed a request from an Owner to rent out the pool for swimming lessons. It was decided not to consider this option at this time.
4. ***Podium Project:*** The Strata Council reviewed a letter from an Owner supporting the recommendation for undertaking the podium project and encouraging all Owners to consider voting in favour of the project to avoid potentially even higher expenses in the future.
5. ***Engineering Firms:*** The Strata Council reviewed a letter from a group of Owners suggesting further review of the membrane replacement project take place. The concerns of the Owners have already been addressed in these minutes in the financial section under the topic of Depreciation Reports.
6. ***Visitor Parking Complaint:*** The Strata Council reviewed a concern about some Residents parking in the visitors' stalls. The Building Manager coordinated with the

Concierge to conduct additional inspection and vehicles found in question will be issued tickets.

NEW BUSINESS

1. **Cross Carpentry Estimate:** The Strata Council reviewed and approved a recommendation for the installation of lockable covers over the common property electrical receptacles that are located on the exterior of stairs of the townhouses. Considering that a few of the Owners of the townhouse units would like to install lockable covers over the private receptacles, it was decided that the respective owners may pursue such upgrades and have them installed at their own expense. Townhouse owners who wish to install a lockable cover should contact the Building Manager for further information.
2. **Library:** The Strata Council is asking the owners to please respect the library space by not bringing old magazines, textbooks, out-dated travel books, and other non-book things to the library as a donation. Please dispense of such items by recycling them.
3. **Unit 909 Range Hood Blockage:** The Strata Council noted that the issue is pending review of the concern by a mechanical contractor.
4. **Unit 1702 AC:** The Strata Council noted that the AC unit on the balcony has been inspected by the RDH who advised that the risk of water penetration at the pipe penetration is low because the entry point of the building enclosure is at the back of the balcony and protected from the rainfall. The Council agreed that the unit doesn't have to be removed, with the understanding that any issues derived from the installation or from the equipment itself, will be the responsibility of the unit owner. This approval is conditional to the Owner signing an indemnity agreement created for the Strata by a lawyer from Clark Wilson. The indemnity must be disclosed by the Owner to any new unit Owner who will have to assume the indemnity with the purchase of the strata lot.
5. **Fire Inspection:** The Strata Council noted that the annual fire inspection has now been fully completed.
6. **1602 Water Leak:** The Strata Council reviewed several proposals from Milani Plumbing for the replacement of the affected hot water recirculating lines that have continually caused damage to the unit located in the bottom stack of the system. It was noted that at this point a temporary repair in unit 1602 is working, but there is concern that it may not be adequate to only replace the affected length of the failed pipe. The Strata Manager will request a proposal from Brighter Mechanical for the replacement of the 02 riser and horizontal lines at 1502-1802 units. Upon receipt of the investigation by Brighter Mechanical, Council will consider the next action.
7. **Vandalism/Break-In in C2/C3:** The Strata Council noted that two of the commercial units had damaged front glass doors that are in the process of being replaced with stronger glass. Everyone is reminded to please report any issues to the Vancouver Police or to the Concierge who can report the issue to the Police.
8. **Heat Exchanger:** The Strata Council reviewed an issue with the lack of hot water and approved replacement of the heat exchanger at a cost of \$9,991 plus taxes. Milani Plumbing advised that the heat exchanger that is now 12 years old is the main source of the concern.

9. **Property Appraisal and Insurance Premium:** Normac Appraisals issued a report noting an increase in property valuation by \$2,780,000. The Strata's insurance broker HUB International updated the Strata's Insurance Policy reflecting the new valuation of \$141,780,000 resulting in the additional premium of \$1,920.00. Updated insurance summary is available to all owners from the Strata's Website and on the FSR Connect Portal: <https://lms712.connectresident.com/>.
10. **Insurance handbook:** *Strata Insurance: what you need to know to protect your strata-property investment* is a handbook prepared by the Insurance Brokers Association of BC. This handbook has been posted on the Strata's website: <http://www.888beachvancouver.com/>
11. **Communications Protocol:** The Strata Council noted the following communications protocol for all owns and Residents at the Strata.
 1. The Strata Council is **NOT** permitted to provide individual email addresses due to the Privacy Act.
 2. While Strata Council reviews all correspondence received, Council has **NO** obligation to distribute any notices/correspondence on behalf of Owners. Council alone is responsible for determining the correspondence issued.
 3. Notices may not be placed upon the notice boards or other areas of the common property without the Strata Council's prior approval. Please note the following applicable Bylaws.

As per the Strata Bylaws:

42.9 A resident or owner must not erect or display, or permit to be erected or displayed, any signs, billboards, placards, advertising or notices on the common property, the limited common property, or in a strata lot unless authorized by the council.

42.10 A resident may post notices on a designated bulletin board, subject to being removed by the council if deemed inappropriate or posted for in excess of one week.

TERMINATION OF MEETING

There being no further business, the meeting was terminated at 7:15 p.m.

Next Meeting: Tuesday, March 30, 2021 at 4.30 pm.

FirstService Residential BC Ltd.



Mikhail Ratchkovski
Senior Strata Manager
Per the Owners
Strata Plan LMS 712

MR/am

Email: info.bc@fsresidential.com

Customer Care Centre: 1.855.273.1967 (24 hours non-emergency)

www.fsresidential.com

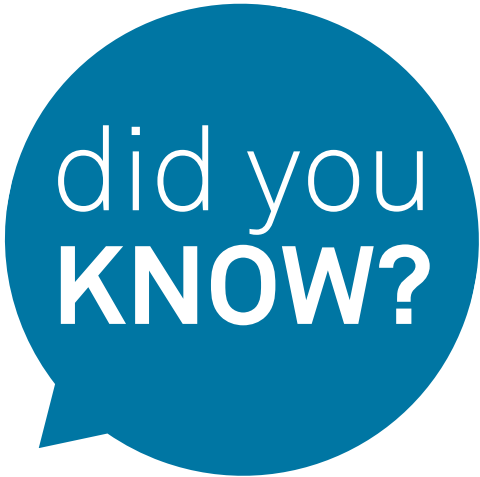
Please keep a copy of these minutes for future reference, which will be required at the time of sale. A charge, as per the *Strata Property Act*, will be assessed for replacement copies.

FSRConnect™ REGISTRATION

Sign up for the Resident Portal today to get access to the latest essential documents and information for your community. To register, search for your community website here: <http://www.fsresidential.com/connect/find-my-community> and click on the 'Register' button. Having trouble? For assistance call our Care Center which is open 24/7 365 days a year with translation services available in 31 different languages. The Care Centre team can be reached at 833-710-6869.



FS Insurance
Brokers



Strata Earthquake Deductibles

Did you know, even though your building has earthquake coverage, you still need earthquake insurance under your own personal policy? This will protect your unit and contents, *and* provide funds to cover your special assessment toward the building’s earthquake deductible.

How much Earthquake Deductible Assessment do I need?

Your Unit Entitlement

Total Unit Entitlement

%

×

Strata Earthquake Deductible

Strata Building Value

×

Earthquake Deductible Assessment



**FS Insurance
Brokers**



Condo Owners' Coverage

Imagine returning home from the month-long vacation of your dreams to an onslaught of voice-mails and letters. You soon discover that a leak originated in your unit while you were away, and even though you'd thought about getting insurance, you never did. Now, you are legally (and personally) responsible for damages and repairs. The Strata Council is seeking payment of the building's insurance deductible and your neighbors are suing for damages. *Did you know* that Condo Owners' Coverage is available to help in situations exactly like this? Don't wait until it's too late!

Condo Owners' Coverage provides protection for:

- Deductible Assessment Insurance
- Loss Assessment Coverage
- Additional living expenses
- Upgrades inside the unit
- Personal contents
- Personal liability
- Leak originating in your unit causing damage to:
 - Your unit
 - Neighboring units
 - Common property



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