

## Strata Living

Headline: What does grandfathering mean?

Topic: Bylaws

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Written by: Tony Gioventu

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**Dear Tony:** At a special general meeting where we passed new bylaws, owners were told at the meeting, that anyone with pets would be grandfathered from the new pet bylaw that prohibits pets. When I read our new bylaws it says no such thing about the strata lots being exempted. So how does a new bylaw apply? Are we in fact grandfathered?

*Morris J. Maple Ridge*

**Dear Morris:** There is no such term as grandfathering in the Strata Property Act or Regulations. There are conditional exemptions however, that will allow certain exceptions. Generally applied, existing relationships are not affected by new pet restriction, age restriction and rental restriction bylaw amendments. If you have an existing pet that complies with a current pet bylaw, and your strata adopts a new pet restriction bylaw that prohibits pets, your pet is exempt from the new bylaw until it is no longer an occupant in your unit. If you move, or if your pet dies, neither you nor your strata lot may replace that pet. The same conditions apply to age and rental restriction bylaws. If you are under 55 and a bylaw is adopted that limits occupancy to 55 and over, then occupants at the time the bylaw is passed are exempt from the new bylaw, and that would include occupants not on title or tenants. If you have a tenant and the strata passes a bylaw that limits or prohibits rentals, your tenant is exempt at

the time the bylaw is passed and when they leave you have a 1 year rental exemption from the bylaws to rent or sell or otherwise occupy your unit. There are additional exemptions provided by the act for rental bylaws for family, hardship or owner developer rental disclosure exemptions, and attention should be paid to special accommodation for conditions under the Human Rights Code. It is necessary for a strata corporation to maintain a record and inventory of pets, rentals and under age occupants at the time the new bylaws are passed, so they have a record of the exemptions and how they can be applied in future when the relationships change.

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