



Condominium Home Owners' Association of British Columbia
Leadership, Education and Resources for strata owners across BC

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Bulletin: 400-014 (September 18, 2017)

Keeping Strata Corporation Records: *Strata Property Act* Sec. 35 & 36, plus SP Regulation 4.1 & 4.2

Record	current	2 yrs	6 yrs	Permanent
<ul style="list-style-type: none"> A list of strata council members, including either phone number or another method by which the council member may be contacted at short notice A list of owners, with their strata lot address, mailing addresses if different, strata lot numbers as shown on the strata plan, parking stall numbers, if any, and unit entitlements The names and addresses of mortgagees who have filed a "Mortgagee's Request for Notification" (Form C) The names of tenant, and any assignments of voting or other rights by landlords to tenants The Act, Regulations, bylaws and rules 	<ul style="list-style-type: none"> ✓ ✓ ✓ ✓ ✓ 			
<ul style="list-style-type: none"> Correspondence sent or received by the strata corporation and strata council 		✓		
<ul style="list-style-type: none"> Minutes of the AGM, an SGM and strata council meetings, including the results of any votes Books of account showing money received and spent and the reason for the receipt or expenditure Any waivers of general meetings and consents of resolutions The budget and financial statement for the current year and the previous years Income tax returns (if any) Bank statements, cancelled cheques and certificates of deposit Any Information Certificates (Form B) issued Financial records obtained from the Owner Developer 			<ul style="list-style-type: none"> ✓ ✓ ✓ ✓ ✓ ✓ ✓ 	
<ul style="list-style-type: none"> Any resolutions that deal with changes to common property, including the designation of LCP Any decision of an arbitrator or judge in a proceeding in which the strata corporation was a party Any legal opinions obtained by the strata corporation The registered strata plan and any strata plan amendments registered at the Land Titles Office Plans required to obtain building permits and any amendments to the building permit plans Disclosure Statements and amendments (if any) The Rental Disclosure Statement (if any) The names and addresses of all contractors, subcontractors and the persons who primarily supplied labour or material to major components of the project The name and address of the project manager (if any) The names and addresses of technical consultants, including any building envelope specialists (if any) Any documents that indicate the actual location of a pipe, cable, chute, duct or other facility for the passage or provision of systems or services, if the Owner Developer believes they are not shown on the plan submitted to obtain the building permit Depreciation Report 				<ul style="list-style-type: none"> ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓

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Strata Property Act

Strata corporation records

35 (1) *The strata corporation must prepare all of the following records:*

- (a) minutes of annual and special general meetings and council meetings, including the results of any votes;*
- (b) a list of council members;*
- (c) a list of
 - (i) owners, with their strata lot addresses, mailing addresses if different, strata lot numbers as shown on the strata plan, parking stall and storage locker numbers, if any, and unit entitlements,*
 - (ii) names and addresses of mortgagees who have filed a Mortgagee's Request for Notification under section 60,*
 - (iii) names of tenants, and*
 - (iv) assignments of voting or other rights by landlords to tenants under sections 147 and 148;**
- (d) books of account showing money received and spent and the reason for the receipt or expenditure;*
- (e) any other records required by the regulations.*

(2) *The strata corporation must retain copies of all of the following:*

- (a) the records referred to in subsection (1);*
- (b) the registered strata plan and any strata plan amendments as obtained from the land title office;*
- (c) this Act and the regulations;*
- (d) the bylaws and rules;*
- (e) resolutions that deal with changes to common property, including the designation of limited common property;*
- (f) waivers and consents under section 41, 44 or 45;*
- (g) written contracts to which the strata corporation is a party;*
- (h) any decision of an arbitrator or judge in a proceeding in which the strata corporation was a party, and any legal opinions obtained by the strata corporation;*
- (i) the budget and financial statement for the current year and for previous years;*
- (j) income tax returns, if any;*
- (k) correspondence sent or received by the strata corporation and council;*
- (l) bank statements, cancelled cheques and certificates of deposit;*
- (m) Information Certificates issued under section 59;*
- (n) the records and documents referred to in section 20 or 23 obtained by the strata corporation;*
 - (n.1) any depreciation reports obtained by the strata corporation under section 94;*
 - (n.2) any reports obtained by the strata corporation respecting repair or maintenance of major items in the strata corporation, including, without limitation, engineers' reports, risk management reports, sanitation reports and reports respecting any items for which information is, under section 94, required to be contained in a depreciation report;*
- (o) any other records required by the regulations.*

(3) *Records referred to in this section must be retained by the strata corporation for the periods set out in the regulations.*

Strata Property Act

Access to records

36 (1) *On receiving a request, the strata corporation must make the records and documents referred to in section 35 available for inspection by, and provide copies of them to,*

- (a) an owner,*
- (b) a tenant who, under section 147 or 148, has been assigned a landlord's right to inspect and obtain copies of records and documents, or*
- (c) a person authorized in writing by an owner or tenant referred to in paragraph (a) or (b).*

(1.1) On receiving a request from a former owner, from a former tenant referred to in subsection (1) (b) or from a person authorized in writing by the former owner or former tenant, the strata corporation must, with respect to records and documents referred to in section 35 that, whenever created, relate to the period during which the former owner or former tenant was an owner or tenant, make those records and documents available for inspection by, and provide copies of them to, the former owner, former tenant or person authorized in writing, as the case may be.

(2) On receiving the request of a tenant, or a person authorized in writing by a tenant, the strata corporation must

- (a) make the bylaws and rules available for inspection, and*
- (b) provide copies of the bylaws and rules.*

(3) The strata corporation must comply with a request under subsection (1), (1.1) or (2) within 2 weeks unless the request is in respect of bylaws or rules, in which case the strata corporation must comply with the request within one week.

(4) The strata corporation may charge a fee for a copy of a record or document provided under this section of not more than the amount set out in the regulations and may refuse to supply the copy until the fee is paid.

Strata Property Regulation

Preparation and retention of records

- 4.1** (1) In addition to the records required to be prepared under section 35 (1) of the Act, the strata corporation must prepare a record of
- (a) each council member's telephone number, or
 - (b) some other method by which the council member may be contacted at short notice, as long as that method is not prohibited by the bylaws.
- (2) The strata corporation must permanently retain the records and documents referred to in section 35 (2) (b), (e), (h) and (n.1) of the Act.
- (2.1) The strata corporation must retain reports referred to in section 35 (2) (n.2) of the Act until the disposal or replacement of the items to which the reports relate.
- (3) The strata corporation must retain the records and documents referred to in section 35 (1) (a) and (d) and 35 (2) (f), (i), (j), (l) and (m) of the Act for at least 6 years.
- (4) The strata corporation must retain the written contracts, including insurance policies, referred to in section 35 (2) (g) of the Act, for at least 6 years after the termination or expiration of the contract or policy.
- (5) The strata corporation must retain the correspondence referred to in section 35 (2) (k) of the Act for at least 2 years.
- (6) The strata corporation must retain current copies of the records and documents referred to in section 35 (1) (b) and (c) and 35 (2) (c) and (d) of the Act and subsection (1) of this section.
- (7) The strata corporation must retain the following records and documents referred to in section 35 (2) (n) of the Act and obtained from the owner developer under sections 20 and 23 of the Act for the following periods:
- (a) the records and documents referred to in section 20 (2) (a) (i), (ii), (iv), (v) and (vi) of the Act must be permanently retained;
 - (b) the contracts, including insurance policies, referred to in section 20 (2) (a) (iii) of the Act must be retained for at least 6 years after the termination or expiration of the contract or policy;
 - (c) the records and documents, other than warranties, referred to in section 20 (2) (a) (vii) of the Act, must be retained until the disposal or replacement of the common property or common asset to which they relate;
 - (d) the warranties referred to in section 20 (2) (a) (vii) of the Act must be retained until the disposal or replacement of the common property or common asset to which they relate, or the expiration of the warranty coverage, whichever comes first;
 - (e) the financial records obtained under section 23 of the Act, if any, must be retained for at least 6 years after the transfer of control referred to in section 22 of the Act.

Strata Property Regulation

Maximum fees for records

- 4.2** (1) The maximum fee that the strata corporation may charge for a copy of a record or document provided under section 36 of the Act is 25 cents per page.
- (2) No fee may be charged to an owner, a tenant or a person authorized by an owner or tenant for the inspection of a record or document under section 36 of the Act.