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## **Correspondence: How to Solve the Email Dilemma**

Section 61 of The *Strata Property Act (SPA)* sets out how a strata corporation may give notice and section 63 of SPA sets out how notice may be given to the strata corporation. To ensure the strata corporation has accurate records for each owner, it is suggested the strata corporation request that each owner confirm how, and where, strata related correspondence should be sent.

### **Notice given by strata corporation**

61 (1) A notice or other record or document that the strata corporation is required or permitted to give to a person under this Act, the bylaws or the rules must be given to the person,

- (a) if the person has provided the strata corporation with an address outside the strata plan for receiving notices and other records or documents,
    - (i) by leaving it with the person, or
    - (ii) by mailing it to the address provided, or
  - (b) if the person has not provided the strata corporation with an address outside the strata plan for receiving notices and other records or documents,
    - (i) by leaving it with the person,
    - (ii) by leaving it with an adult occupant of the person's strata lot,
    - (iii) by putting it under the door of the person's strata lot,
    - (iv) by mailing it to the person at the address of the strata lot,
    - (v) by putting it through a mail slot or in a mail box used by the person for receiving mail,
    - (vi) by faxing it to a fax number provided by the person, or
    - (vii) by emailing it to an email address provided by the person for the purpose of receiving the notice, record or document.
- (2) The notice, record or document may be addressed to the person by name, or to the person as owner or tenant.
- (3) A notice or other record or document that is given to a person under subsection (1) (a) (ii) or (b) (ii) to (vii) is conclusively deemed to have been given 4 days after it is left with an adult occupant, put under the door, mailed, put through the mail slot or in the mail box, faxed or emailed.

### **Notice given to strata corporation**

63 (1) A notice or other record or document that is required or permitted under this Act, the bylaws or the rules to be given to the strata corporation must be given to the strata corporation

- (a) by leaving it with a council member,
  - (b) by mailing it to the strata corporation at its most recent mailing address on file in the land title office,
    - (c) by faxing it or emailing it to
      - (i) the strata corporation using the strata corporation's fax number or email address, or
      - (ii) a fax number or email address provided by a council member for the purpose of receiving the notice, record or document, or
    - (d) by putting it through the mail slot, or in the mail box, used by the strata corporation for receiving notices, records and documents.
- (2) A notice or other record or document that is given to the strata corporation under subsection (1) (b) to (d) is conclusively deemed to be given 4 days after it is mailed, faxed, emailed or put through the mail slot or in the mail box.

**SAMPLE**

Each strata lot owner is requested to complete the following information to assist the Strata Corporation with record keeping and correspondence. If an owner does not complete the below information, all strata correspondence will be sent to the strata lot in accordance with section 63 of the *Strata Property Act (SPA)*.

Owners are reminded that they are providing this information on a voluntary basis – all information will be maintained by the Strata Corporation in accordance with the SPA and the *Personal Information and Privacy Act*.

Owners Name(s):

1) \_\_\_\_\_ 2) \_\_\_\_\_  
3) \_\_\_\_\_ 4) \_\_\_\_\_

Tenant(s) (if applicable):

1) \_\_\_\_\_ 2) \_\_\_\_\_  
3) \_\_\_\_\_ 4) \_\_\_\_\_

Strata Lot #: \_\_\_\_\_

Civic Address of Strata Lot: Unit #: \_\_\_\_\_ Street: \_\_\_\_\_  
City: \_\_\_\_\_ Prov: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Alternate Address (if applicable) Unit #: \_\_\_\_\_ Street: \_\_\_\_\_  
City: \_\_\_\_\_ Prov: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Email address (if applicable): \_\_\_\_\_

Fax number: (if applicable): \_\_\_\_\_

Please indicate which address the Strata Corporation should use for correspondence, including notices for general meetings and all other communication between the strata corporation and the strata lot owner.

Civic address of strata lot:  Alternate Address:  Email Address:  Fax #:

Has the strata corporation received a Form C: Mortgagee's Request for Notification with regard to this strata lot (SPA sec. 60, Reg. 4.5)?

Yes  Name and Address for Notification: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

While the Strata Corporation will comply with an owner's direction as to the method of delivery of communications, the Strata Corporation notes that section 163(3) of the Strata Property Act provides:

*A notice or other record or document that is given to a person under subsection (1) (a) (ii) or (b) (ii) to (vii) is conclusively deemed to have been given 4 days after it is left with an adult occupant, put under the door, mailed, put through the mail slot or in the mail box, faxed or emailed.*

As a result, delivery by mail, mail slot, fax or email is not dependent on receipt by the owner. Each owner must determine which method of communication they consider to be the most reliable for their circumstances.

The owner is responsible to provide updated contact information to the Strata Corporation.

(Please initial that you agree to these terms. If the strata lot is owned by multiple people the initial of each owner is required)

Signature: \_\_\_\_\_

Date: \_\_\_\_\_