
Legislative Update: Strata Property Regulation

On March 7, 2018 section 6.9 of the Strata Property Regulation was amended to allow a strata corporation, by bylaw or rule, to create a variable user fee for the use of strata common property. For example, a strata corporation may now adopt a bylaw or rule to charge users a consumption-based rate for electricity usage for those charging their electric vehicles.

For convenience section 6.9 is reflected below, and the relevant changes underlined.

This information is provided for notification purposes only. It is recommended that these legislative updates be printed on coloured paper and inserted into your hard copy of the *Strata Property Act* (SPA). For the current version of the SPA and Regulations please refer to the CHOA website (www.choa.bc.ca) which links to BC Laws.

User fees for the use of common property or common assets

6.9 (1) For the purposes of section 110 of the Act, a strata corporation may impose user fees for the use of common property or common assets only if all of the following requirements are met:

- (a) the amount of the fee is reasonable;
- (b) the fee is set out
 - (i) in a bylaw, or
 - (ii) in a rule and the rule has been ratified under section 125 (6) of the Act.

(2) A user fee imposed by a strata corporation may be a fixed amount or an amount determined on a reasonable basis, including, but not limited to the following:

- (a) the user's rate of consumption;
- (b) the recovery of operating or maintenance costs by the strata corporation;
- (c) the number of users;
- (d) the duration of use.

Amended March 7, 2018 - BC REG 36/2018