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### Legislative Update: Strata Property Regulation 7.1

Under the *Strata Property Act* (SPA) a strata corporation (or a section) may create a bylaw to limit or ban short-term rentals.

On July 18, 2018, strata regulation 7.1 (OIC 418-2018) was amended to allow strata corporations to impose a fine of up to \$1,000 a day for owners or residents not complying with a strata bylaw limiting or banning short-term rentals.

This new level of fine only applies to short-term rental bylaws and must be set out in the strata corporation's bylaws. If you intend on enforcing a short term rental violation with the higher permitted limits, you will be required to amend your bylaws by  $\frac{3}{4}$  vote at a general meeting and file the bylaw amendment with the Land Title Registry.

**The new regulation permitting a higher fine does not take effect until November 30, 2018.**

#### **Maximum fines**

*7.1 (1) For the purposes of section 132 of the Act, the maximum amount that a strata corporation may set out in its bylaws as a fine for the contravention of a bylaw or rule is,*

*(a) if not otherwise specified in this subsection,*

*(i) \$200 for each contravention of a bylaw, and*

*(ii) \$50 for each contravention of a rule,*

*(b) in the case of a bylaw that prohibits or limits rental of a residential strata lot, \$500 for each contravention of the bylaw, and*

*(c) in the case of a bylaw that prohibits or limits use of all or part of a residential strata lot for remuneration as vacation, travel or temporary accommodation, \$1 000 for each contravention of the bylaw.*

*(2) For the purposes of section 132 of the Act, the maximum frequency that a strata corporation may set out in its bylaws for the imposition of a fine for a continuing contravention of a bylaw or rule is*

*(a) every 7 days, and*

*(b) in the case of a bylaw described in subsection (1) (c), daily.*