
Strata Living

Headline: Who scoops the movie money?

Topics: Common Property; bylaws regarding use of

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Dear Tony: We have an owner who has recently permitted a movie shoot in his strata lot. The production was a disaster for owners. Elevator service was either disrupted or delayed for half hour periods, there was a takeover of our lobby area, parking entry was limited and the filming moved into the hallways and our meeting room. We asked the concierge how we could gain access to our unit and how this was permitted and he referred us to the property manager. The property manager referred us to council who advised it was arranged by the management company. Everyone in our strata is furious. Is the strata council allowed to give exclusive use of our property to the detriment of the owners?

Kirby C. Vancouver.

Dear Kirby: The use, enjoyment, operation and administration of the common property and common assets is determined through the strata bylaws and the *Strata Property Act*. The strata council may authorize the exclusive use of common property to an owner or tenant for a period of time of up to one year; however, in this case they authorized the use by contract to an outside contractor that is not an owner and may require the prior approval of the owners at a general meeting.

When a strata corporation permits a movie shoot on site, this is a user contract that will negotiate fees, liabilities, responsibility for maintenance, restoration, access for the residents, safety plans, on site contact information and the security of 3rd party insurance for the protection of the strata corporation, council, owners, tenants and their guests. A strata corporation cannot restrict access to strata lots if they have agreed to permit a movie shoot on site, and the movie

companies are generally exemplary in assisting resident access and ensuring the site is left in better condition. A movie shoot seems simple to start but the event may be very complicated and requires a high detail of attention and coordination. The other question that should be raised is who has received compensation for this movie production? Were funds paid to the strata lot owner, the concierge, the management company, or the strata corporation? This would be a good opportunity for your strata corporation to consider a bylaw that addresses on site movie productions.