

Headline: Is your strata a good location for a movie shoot?

Topic: Film Shoots

Publication / Date: Westcoast Condominium Magazine, March 11, 2016

Written by: Tony Gioventu

A growing number of strata corporations and strata lot owners are being approached by production companies for access to their communities for movie shoots and television productions. In many ways strata corporations are ideal as they offer significant space for staging, parking, crew facilities, and a diversity of filming variations and opportunities without the need to relocate. A high-rise with sweeping views of the BC coast, accompanied by open plazas, public spaces or secluded gardens, recreational facilities and underground parking all within one site is a great find for a production company. Bare land and townhouse strata corporations with marinas, golf clubs, riding stables are frequently used for location shoots, but don't be lured by the fast cash until everyone affected agrees in writing and the strata council and owners have the authority of the owners to go ahead.

There are 3 principle parties to the contracting of a film shoot in a strata. The production company, the strata corporation and any owners affected by the production or who have filming in their strata lots. For the protection of the strata corporation, the owners and the production company, it is essential to negotiate written contracts between all of the parties before any production begins. Before an owner permits filming, and before the strata corporation agrees several conditions will have to be resolved.

- Clearly identify all of the property areas that will be accessed, and the type of production that will be on your site. Confirm strata lot owners, tenants and occupants will have continued access to their parking, their strata lots, or other services in the building, unless they have agreed.

- Establish schedules for the time periods of filming, site production and preparation, and when access to the strata lot and strata common property will be required
- Obtain a copy of the proposed contract from the production company and certificates of insurance for all production related activities. Site production may expose your strata to a higher risk level. Contact your insurance broker and have them review the insurance certificates.
- Review privacy and confidentiality agreements. There may be proprietary conditions that affect your strata and certainly the intellectual property of the production company. The strata corporation and residents may be bound to confidentiality agreements.
- Review your strata bylaws to verify there are no conflicts with the production. Bylaws for surveillance, security, access and use of property may impose restrictions.
- Have the strata lawyer review the terms and conditions of the contract. This cost should be negotiated as part of the fees for the filming, along with the advance payment for the production.
- Confirm your strata has negotiated the fees for the production, liability for any additional maintenance requirements or damages to the strata property, and additional fees if the production runs over schedule. The strata may also require damage deposits to ensure site restoration after the production.

- Once the strata understands the scope of the production, impact on your community and the revenue that is anticipated, determine if the strata has the authority to enter into the film contract. Don't forget, the strata may not significantly change the use or appearance of common property or common assets without a  $\frac{3}{4}$  vote of the owners at a general meeting.
- If an owner is entering into a production agreement, they need to be aware that the strata corporation is most likely affected and they will need the consent of the strata corporation as well. Access to strata lots will likely involve common property, parking logistics, may disrupt use and access to the strata or other owners' strata lots. Owners do not have the authority to grant access to the strata or the common property.
- Before production begins identify who is responsible for the site production on behalf of the strata and the production company and review the post production restoration.