

Condominium Home Owners Association

A non-profit association serving strata owners since 1976

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Condo Smarts

Headline: Strata rentals always a bit complicated

Topic: Developer's impact on rental units

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If you have bought your property as an investment or plan on renting out your strata lot at some time, one of the most valuable documents you may require as the purchaser is a copy of the "developers rental disclosure statement".

Many owners and investors are prevented from renting their strata lots because the bylaws prohibit rentals.

While the bylaw prohibiting the rentals may be enforceable by the strata, it does not apply in all circumstances. This one of the most complicated issues within the Strata Property Act.

Strata Law In a common scenario, the first purchaser from the developer receives a disclosure statement. Within the statement is often included a rental disclosure statement. The RDS must set out if a strata lot has been designated as a rental strata lot and the date the rental designation period expires.

With an RDS that complies with the Act, the first purchaser is exempt from a rental restriction bylaw until the expiry date. The regulations also grant an additional exemption if the strata lot is sold by the first purchaser. With an RDS that complies with the Act, the buyer from the first

purchaser is exempt until January 1, 2006, or the date the rental period expires, whichever comes first. The strata cannot over ride these exemptions with a rental restriction bylaw.

Tips In addition to the RDS, exemptions from rental restrictions are also granted for family rentals and may be granted for hardship exemptions. For more information on exemptions and bylaws pertaining to rentals contact the CHOA office.

For more information on CHOA resources and benefits visit www.choa.bc.ca
or contact the office at 1-877-353-2462 or email office@choa.bc.ca.

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