

Condominium Home Owners Association

A non-profit association serving strata owners since 1976

Bulletin: 300-071

Condo Smarts

Headline: To get the correct information, go right to the source

Topic: Buying a strata: confirm information in writing

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Here are two lines that we hear from unsuspecting purchasers almost daily: "The strata council was voting on new pet bylaws, so we were told it was OK to bring in our cats." And: "The vendor told me this was a rental unit when I bought, so I understood the 'no-rental' bylaws wouldn't apply to me."

One unlucky Port Moody owner, much to her surprise and dismay, was told not only one but both of these erroneous pieces of information in her first year of purchase.

At the time she purchased her condo, the strata had a bylaw that prohibited pets, and the unit she purchased had a tenant (she was living in another condo).

Six months later her tenant moved out. The owner had no rental disclosure statement exemption, so she discovered that if she rented her unit she would be fined \$500 a month. It turned out there was no such thing as a designated rental unit, so she decided to move into the suite and sell her other condo.

Then came the cat.

When she moved in, her cat managed to run loose down the hallway, and within hours she

was informed by council that there were no pets allowed, and that she would be fined \$200 a month if she kept her cat. The proposed bylaws that she was told would allow pets never had passed. The resolution failed and the bylaw prohibiting pets continued to be enforceable.

Finally, at substantial cost, she decided to sell her condo and moved to a duplex that had few restrictions.

Strata law: Bylaws that prohibit or limit pets or rentals are permitted by the act. Once a bylaw is filed in the Land Title Office it becomes enforceable.

Tips: Never assume that a bylaw being proposed will or will not be ratified by the owners. Even as an investor, you may purchase a unit to rent in a strata that at the time has no rental restrictions. However, things may change. The strata may pass a bylaw that limits or prohibits rentals, and you will find your investment is at risk. First, foremost and finally, always get everything in writing

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