

Condominium Home Owners Association

A non-profit association serving strata owners since 1976

Bulletin: 300-156

Condo Smarts

Headline: Bylaws govern everyone

Topic: Bylaws and renters

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Written by: Tony Gioventu

Dear Condo Smarts: I recently leased an apartment in a downtown highrise. I made an effort to ask all of the pertinent questions of the building manager and the landlord to ensure I would have no problems.

Today I just received notice that the strata prohibits pets and that we have to remove our dog from the building immediately.

We had no indication that pets were not allowed. When we spoke with the manager we had our dog on a leash with us and discussed the walking locations nearby.

We are committed to a 3 year lease. Do pet bylaws apply to renters? What do we do now?

- Gary, Vancouver

Dear Gary: It makes no difference whether you are an owner, tenant, landlord, visitor, house sitter, commercial investor, in an apartment building, bare land strata, townhouse or storage facility.

Properly ratified bylaws that have been filed with Land Titles are enforceable.

Tenants have no special privileges - the bylaws are applied in the same manner with residents or visitors.

Like purchasers, tenants should also review the bylaws and rules before they sign.

When you agreed to the lease you should have been given the bylaws and the rules along with a request to sign a Form K.

This form indicates, on the one hand, that you have received the bylaws and rules and on the other hand that your tenant information is given to the strata.

As part of the enforcement of the bylaws, the strata can ultimately obtain a court order to remove the pet.

However, if the bylaws were not properly disclosed - as it seems they weren't - you may want to speak to a lawyer regarding the terms of your lease and negotiate with your landlord.

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