

# Condominium Home Owners' Association

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Bulletin: 300-205

## Condo Smarts

Headline: Strata well within rights to limit rentals

Topic: Short-term rentals and the 2010 Olympics

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**Dear Condo Smarts:** Each year my wife and I travel somewhere exotic in the world.

We often rent our unit for three to six months to similar people from other countries wanting the BC experience. Only now we've been told by our strata council that we cannot have short-term rentals anymore, even though our bylaws don't define what a short-term rental is.

We tried applying for a hardship exemption, but one of the council members accused us of trying to live in the lap of luxury at the expense of the other owners who have to put up with our tenants. Isn't there some sort of intervention by the government when the strata corporation acts unfairly against owners?

-- *Tomas Wong, Vancouver*

**Dear Tomas:** The *Strata Property Act* is self-regulating legislation and the provincial government does not regulate the Act or intervene if there is non-compliance. Strata corporations resolve their disputes either through agreement, mediation, arbitration or through the courts.

Your strata adopted a bylaw in 2002 that prohibits rentals entirely, except for exemptions granted by the act and for hardship rentals. So short-term rentals such as yours would be prohibited as well. (The decision to grant a hardship exemption is decided by the strata council, not by individual council members).

Your question does raise a business matter that applies to every B.C.

strata corporation and their rental bylaws as we approach 2010.

Owners who might be looking to earn a quick profit by renting their units short-term during the Olympics may find they face stiff penalties if they are in violation of the bylaws. There are security issues with multiple access keys and a higher rate of transient visitors. The spirit of the games will result in vacationers wanting to celebrate and access the buildings at odd hours resulting in noise and disruptions.

Damage caused to buildings and common property by visitors and revelers will end up being the cost of the landlords and the strata. Parking is already in short supply, so allocations for visitor and tenant parking will be at a premium.

Extra pressure will be placed on common areas, exercise rooms, pools and laundry facilities.

All of these issues can easily be anticipated through strata bylaws long before the event making the games a great asset rather than a rental headache after they're done.

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