

Condominium Home Owners' Association

Serving BC's Strata Property Owners since 1976

Bulletin: 300-233

Condo Smarts

Headline: Strata corp. can change extra rush fees

Topic: Rush fees for completing forms

Publication date: June 24, 2007

Publication: The Province

Written by: Tony Gioventu

Dear Condo Smarts: Your recent columns on buying and selling raised a serious question for our strata.

As president of our strata corporation, I am often requested to complete a Form B and Form F for sales transactions. On the eleventh hour, a realtor requested the documents with 24 hours notice.

We advised her there was a rush charge for the documents, and were met with hostility and she refused to pay for any documentation.

The realtor accused us of being in contempt of the Act and that we would be responsible for the loss of the sale, so we provided the documents at no cost to avoid the conflict.

Why should strata corporations and property managers have to drop everything at the last minute for a realtor or buyer who couldn't have been bothered with giving us notice in time? Shouldn't we be able to charge for the service?

-- Diane Roy, Kelowna

Dear Diane: When a buyer, seller or their agents request sales transaction documents, Form B or Form F, the strata corporation must provide them within one week.

The strata may charge a maximum of \$15 for a Form F, \$35 for a Form B and 25 cents per copy.

If they are requested in shorter notice, the strata corporation or manager charges whatever they have determined to cover the cost of the rush fee.

Rush fees are frequently set in the bylaws of the strata and must be set out in the agent's agreement with the strata.

If the buyer/seller or agent is prepared to only pay the maximum fee, then the strata's only obligation is to provide them in one week.

Rush fees depending on the amount of information and notice period range anywhere from \$25-\$500, and the strata corporation is not obliged to release them until the fees are paid.

Minutes, contracts and records of a strata are separate and the strata may only charge 25 cents per page/copy and only has to provide them in 14 days.

If buyers, sellers or their agents or conveyors make rush requests, they need to be prepared to pay the price and advise their clients of the additional costs because they failed to request the information in a timely manner.

Strata corporations and managers are not required to drop everything at the last minute without cost, just because someone left it to the last minute.

The loss of a sale under these circumstances is not the fault of the strata.

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