

Condominium Home Owners' Association

Serving BC's Strata Property Owners since 1976

Bulletin: 300-308

Condo Smarts

Headline: Real Christmas Trees

Topic: Christmas trees

Publication date: December 14, 2008

Publication: The Province

Written by: Tony Gioventu

Dear Condo Smarts: Three years ago when I purchased my condo, real Christmas trees were allowed. This was a huge deal for me when I was looking. Two years ago the bylaws were updated and now we can only have artificial trees. Because of this I did not have a tree last year. Someone mentioned that I may be grandfathered in the same way as if I have a pet and they changed the rules. Could you please clarify as I have never had an artificial tree and would love to enjoy Christmas with a real tree this year. Regards, Gaylene Ouchar, Langley

Dear Gaylene: If the strata changes their bylaws and prohibits live cut trees then those bylaws apply to everyone. There are no grandfathering provisions in the act for general building use bylaws; however, there are specific exemptions under certain conditions that apply to pet, age and rental restriction bylaws.

For example, a pet residing in a strata lot at the time a bylaw prohibiting pets is passed, is exempt for the duration of the pet's residency. When the pet ceases to reside in the strata lot, that exemption expires and the owner cannot replace the pet. Real trees pose a number of hazards to buildings systems including an extreme fire risk when trees are not cared for, or located next to heaters or gas fireplaces. Unfortunately it only takes one person to spoil it for everyone, but we receive numerous complaints every year from strata corporations who have had to clean up the mess from trees dragged down hallways, tossed off balconies, or the damages of elevators jammed with needles or scratching and scraping of walls and elevator cabs. It's not surprising that strata corporations have had to prohibit cut trees to avoid serious problems. It only takes one tragic fire during the holidays to remind us of the shared risks in strata living.

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.

No part of this publication may be reproduced without the prior written permission of CHOA

This publication contains general information only and is not intended as legal advice. Use of this publication is at your own risk. CHOA will not be liable to you or any other person for any loss or damage arising from, connected with or relating to the use of this publication or any information contained herein by you or any other person.