

Condo Smarts

Headline: Changes to the Strata Property Act
Topic: Strata Property Act
Publication date: October 4, 2009
Publication: The Province
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Dear Condo Smarts: As a strata owner I have heard a number of reports on the news about proposed changes to the Strata Property Act. How can the public find out more about the proposed changes and the debates? Arlene Smith, Maple Ridge BC

Dear Arlene: In September, the Provincial Government tabled amendments to the Strata Property Act which are contained in Bill 8. The 36 amendments apply to the legislation and they contain a number of significant changes that will have a significant impact on strata corporations and owners. The greatest impact to consumers are amendments to dispute resolution, disclosure of storage lockers and parking spaces in sales agreements and forms, notice to the owners or the strata corporation by email, the requirement/waiver of depreciation reports, the requirement/waiver of annual audits, a change in rental disclosure exemptions after December 31, 2009. Once the legislation is passed, the next step will be the implementation of regulations that will apply to some of the most critical changes. The amendments to dispute resolution, depreciation reports and audits, will only take effect once the provincial cabinet adopts the enacting regulations by an order in council. The creation of these regulations will be the real "meat and potatoes" of the changes. The regulations are not approved by the legislature; therefore, there is little or no

opportunity for debate or public consultation. Amending the Strata Property Act is far more complicated than addressing a solitary problem experienced by often a small group of strata corporations. The legislation applies to over one million functional strata units that include: townhouses, apartment buildings, highrise, mixed use with commercial, parking lots, storage facilities, bare land use, marinas, airports, golf courses, industrial complexes, lease hold properties, and First Nation properties in some cases. Bill 8 creates the possibility of different classes of strata corporations, and the application of the different sections of the Act to those classes. Go to the following sites to follow along with the proposed changes and the debates. BILL 8 — 2009 STRATA PROPERTY AMENDMENT ACT, 2009:
http://www.leg.bc.ca/39th1st/1st_read/gov08-1.htm

The Hansard debates can be viewed on the Legislative Assembly of British Columbia website at <http://www.leg.bc.ca/hansard/8-8.htm> You can either click "Subject Index" near the top left of the page and scroll down the alphabetical listing to Strata Property Amendment Act, 2009 or if you know the date of the debate you wish to review you can view the transcripts which as posted chronologically. As a consumer you have a powerful voice with your local MLA. Call or email your local MLA's office calling for a public consultation on the future regulations that will impact your investment.

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