

**Condo Smarts**

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Written by: Tony Gioventu

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**Dear Condo Smarts:** I don't know who to turn to. I bought a condo in Vancouver in February, moved in with my dog on March 15th, and March 20th began to receive threatening letters from the strata about my dog. They claim the strata has a "no pets" rule, and that I have to either get rid of my dog or move. Before I purchased I requested information about the strata corporation, and my agent was given the strata web site and password to access the minutes of the strata meetings, bylaws and rules of the strata corporation, and other information like a maintenance and building report done in 2008. Absolutely nothing indicated on the web site that pets were prohibited and that there was a no pets rule. As the information we received was provided by the agent, doesn't the strata have to abide by the information they disclosed to a buyer? I admit that since talking to my lawyer I should have requested a copy of a Form B Information certificate before I bought. Now what am I supposed to do? Frankie D

**Dear Frankie:** While online information may be very helpful in investigating a strata corporation, it may also be seriously misleading. The blame is not entirely yours however, as the strata corporation, through their agent provided you with access to the strata corporation's current records, and nothing was disclosed in those records at the time, regarding the prohibition of pets. You should have been advised to obtain an information certificate, and to obtain a registered copy of the bylaw amendments. Relying solely on the information posted to the web site, you only viewed dated materials. Had you obtained a copy of the registered bylaws through the Land Title

Registry, you would have immediately noticed that the strata amended their bylaws in December of 2009, adopting a bylaw that prohibits pets. Unfortunately, the web site had not been updated since November 15th, 2009, so the information posted was inaccurate. The other challenge for the strata is that while the manager provides the access code information, the web site is actually maintained by the strata council. The manager was not advised that the council have not been maintaining the web site, and as of April 30, the same dated material are still posted on the site. If a web site is only archived information, then it should provide date signatures to identify the periods of information posted. If the web site is active current information, the site should have a real person or company that you can contact to obtain written verification of the claims or data that is posted on a web site. The CHOA web site for example hosts over 600 information bulletins and articles, all of which are routinely reviewed and updated for changes in legislation, contact information, access to links, changes in case law, or regulations that impact strata corporations. Whether you are investigating a strata corporation to consider a purchase, or generally surfing the net, look for indications that the information is reliable and there is a real person to contact. For Frankie, the best option now is a hearing with council to find a solution for both her and the strata, and failing that, retaining legal counsel to respond to the strata corporation's disclosure of inaccurate information and their claim of bylaw violation.

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