

**Condo Smarts**

Headline: Lock Box Wars

Topic: Lock boxes

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**Dear Tony:** Our strata council is fed up with lock boxes on our common property. We have constant problems with theft and common area keys being lost which has ended in a number of break into our storage lockers and amenities room. Last year alone our strata spent almost \$5,000 in lock changes and additional losses. We don't have a security problem in our West End neighbourhood, but the lock boxes attached to our entrance rails are an invitation to anyone looking for easy access. We have now installed video cameras in the parking garage, games room and the lobby to control the problems, but we continued to encounter the same issue. We attempted to prohibit lock boxes but a real estate living in our building told us it was prohibited, so how can we solve this problem?

*HW Milton*

**Dear HW:** The *Strata Property Act* allows a strata to pass a bylaw that governs the activities relating to the sale of a strata lot. The strata can determine the location and type of real estate signs that are permitted, times allowed for the showing of common property and the holding of open houses. While the bylaw cannot unreasonably restrict marketing activities, the strata is permitted to consider necessary bylaws to maintain the safety and security of the property. There is no such prohibition as claimed by your owner, on lock box bylaws. As a result of chronic theft and damages, strata corporations have no choice but to adopt bylaws that prohibit lock boxes and set out the penalties for the loss of common area keys and damages. Sellers and their agents who have installed unauthorized or compromised lock boxes are discovering they may be responsible for the costs of re-keying the building, damages and losses. If it

is financially feasible, strata buildings have installed control FOBS for access and monitoring of use of common areas, which have also greatly reduced the costs in the event of a loss or theft of a FOB. The single FOB may be deactivated replaced from a nominal charge. It is ultimately up to the strata lot owner and their agent to coordinate access to the building within the limitations of the bylaws of the strata corporation. Also be mindful of building envelope warranty issues in new or remediated buildings if you are fastening a lock box directly to the building.

If your building is wanting to provide a key/lock box type access, the Victoria Real Estate Board have developed a highly secure single use system that locates a secure box near the building entry, and retains only a single key or FOB that is accessible during only limited hours. The VREB Secure Strata Keybox Housing Program has greatly reduced thefts and security problems, with a process for tracing missing keys. The program is available in the Victoria area only at this time; however, instead of prohibiting lock boxes entirely, strata corporations may wish to consider a secure single lock box access system in their area that is managed by their strata council, or encourage their local real estate boards to consider developing a similar system. If you would like more information about the VREB Secure Keybox program contact Pam Schon at 1.250.385.7766 or go to [www.vreb.org](http://www.vreb.org).

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