

Strata Living

Headline: User Fees for extra parking spaces and storage lockers

Topic: Parking, User Fees

Publication date: Dec 6, 2012

Publication: 24 Hours

Written by: Tony Gioventu

Dear Tony: Our strata council has identified 5 extra parking spaces and 3 storage lockers that are not being used in our strata. One owner has suggested that we make them available for additional use by owners and that we charge a fee to generate some revenue for the strata corporation. Our council has passed a schedule of fees and access for owners, and as a result the owners have petitioned for a special general meeting to challenge the fees. The owners claim the fees are too high and that we are not allowed to charge user fees or. What options do we have?

Carol F. Metrotown

Dear Carol: The Strata Property Act & Regulations permit the charging of user fees for common facilities. The fee may be either a bylaw or a rule. The fees that the strata corporation will be permitted to charge must be first approved as either a bylaw by three quarters vote which is filed in the Land Title Registry or a rule created by council setting out the fee, or any amendment to an existing fee. The rule must be approved at the next general meeting of the strata corporation by majority vote, before the user fee or amendment may be imposed and collected. Rules must be published and distributed to owners and tenants and must be included with a Form B Information Certificate when requested. It is also important to include the procedure for

application of the rule or bylaw, as well as the fee and the frequency of the fee. For example, "The strata corporation retains 12 additional parking spaces. Additional parking is available at a rate of \$100 per month. Occupants in the strata corporation are requested to apply in writing to the strata council, and will be processed in the order that they are received based on availability. The exclusive use of the parking space will be granted for a 1 year period, and may be renewed annually by the strata council. Fees are due and payable on the first of each month."

It is important to be clear on the purpose of the user fee, the common facility that it relates to, the rate and payment schedule of the fee and the application process.

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