

## Strata Living

Headline: Barking Dogs

Topic: Pets; bylaws

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**Dear Tony:** Our strata corporation has a bylaw that permits 2 dogs per strata lot. There are currently 37 dogs in our building and the dogs and their owners respect of the bylaws has been exemplary. We have a new owner who moved in on October 1<sup>st</sup> with one dog, which is frequently left alone for long hours because of the owner's work schedule. This has resulted in the dog barking continuously for hours during the day, and disrupting the owners the 8 neighbouring units. The council have sent numerous notices regarding the noise and we have finally started fining the owner each time there is another complaint and violation. Other than long periods alone the pet is very well cared for and very gentle, but the residents in our building have had enough. What are our options?

*Rick C. Coquitlam*

**Dear Rick:** The Strata Property Act and your bylaws set out the options for enforcement of bylaws. Before you fine an owner, for each separate violation that is not an ongoing contravention, the strata corporation must send a written notice of complaint, including the particulars of the complaint, to the owner of the strata lot. The owner then has an opportunity to respond in writing and request a hearing. It could mean you send a notice per day, but that could also indicate that there is a potential fine or penalty each day as set out

in the limitation of your bylaws. If the owner does not remedy the situation, the next step of enforcement is an application to the Supreme Court of BC. This could be in the form of an order by the courts directing the owner to meet specific conditions or limitations or eventually the ordered removal of a pet. It seems excessive and drastic for the strata corporation to take such significant steps but if an owner or their tenants, guests or pets cause a nuisance in the building this could eventually be the outcome. Perhaps a valuable next step may be having the strata council's lawyer write to the owner advising of the seriousness of the problems and the next steps if a solution cannot be found. CHOA has several member buildings, where people work long hours, and other residents in the building provide some day relief services for their pets. It solves the noise problems and contributes greatly to the community.

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