

Strata Living

Headline: Accessing Records
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Dear Tony: Our strata corporation have adopted a new policy that makes it impossible for some owners to get copies of records and documents. At the direction of the management company they have moved all of our records to a web site, and if we require any documents, we can only now access them through the web site. The manager has told us that they will no longer provide copies of documents to owners on request. When we go to the web site, we are limited to only the most recent set of minutes of meetings, and if we want anything else, we have to pay an on line charge and a service fee. We have also noticed that if we request a Form B it is now only available electronically, and in addition to the \$35 fee and the 25 cents a page per copy charge we also have to pay a \$13 service fee. We agree with providing an on line service to owners, but what about those people who do not have computers and printers? Also, determines the rates that are set?

Daniel W.

Dear Daniel: If an owner, their agent or tenant requests copies of the records of the strata corporation, the strata corporation must provide them within 14 days for general information and 7 days for a Form B. The strata corporation may charge up to 25 cents per page per copy, and the fees for the forms are fixed at \$35 for a Form B information and \$15 for a Form F, payment certificate, within 7 days receipt notice of request. The strata corporation is not permitted to charge an owner additional processing, viewing or administration fees to access records. Additional fees that the management

company charges are stipulated in the strata management service agreement, and they are charged to the strata corporation. When a management company is collecting fees for providing records and forms, they are acting as the agent of the strata corporation and charging and collecting those fees as if they are the strata corporation. The service agreement likely compensates the service provider for the costs associated with providing the documents; however, the service provider is limited to the same restricted fees of the Strata Property Act. It is convenient and economic for a strata corporation to provide electronic records access to owners; however, the strata corporation and strata manager cannot refuse to provide paper copies of records on request in the prescribed time periods and costs.

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