

## Strata Living

Headline: Pet Wars

Topic: Pets

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**Dear Tony:** Our strata adopted a new pet bylaw to limit the number of pets in our building. Over the years everyone had adopted cats and dogs to the point where our building was being overrun with pets. In a 68 unit building, 53 dogs and 48 cats puts a lot of pressure on our building assets, not to mention the number of times we have replaced hallway carpets and upgraded the elevators. Only 3 owners abused the building, but the result is a limit on the number of pets. The strata adopted a bylaw that limits pets to 1 cat or 1 dog, understanding that the additional existing pets at the time we adopted the bylaw are exempt until they no longer reside in the premises. Two of the seven council members did not agree with the decision and delayed filing the bylaw so they could purchase additional pets. So now we have a battle over the pet exemption registry that has been created. How do we resolve this issue?

*Jamie D.*

**Dear Jamie:** The conditions on exemptions apply to a new bylaw that is adopted in relation to a pet restrictions, and age restrictions. Rental restrictions also have similar exemptions for tenants in a strata lot at the time a rental restriction bylaw is adopted. The provision establishes that the existing relationships that are in the building at the time the bylaw is passed, not when it is filed in the Land Title Registry, are exempt from the bylaw who continue to reside in the building.

When a strata corporation adopts a new pet or age restriction bylaw, the bylaw becomes

enforceable, meaning the strata corporation can apply fines and penalties to violations after the registration period, not retroactively. Before your strata corporation adopts a new bylaw that may generate exemptions, it is critical to establish an inventory or registry of the persons or pets residing in the building the day of the meeting. If the bylaw passes, the exemptions apply to those relationships at that time. If your strata corporation had not established an inventory it will be difficult to determine who is exempt and who is violating the bylaw. If the strata corporation has evidence to establish that the pets were adopted into residence after that date, those owners were not granted an exemption and the strata council has a bylaw enforcement obligation.

This is a good example of a dispute that if unresolved, will be ideal for the Civil Resolution Tribunal. The Civil Resolution Tribunal Web Site is now live. The site will host information about the tribunal, how it will work, updates on implementation progress, and enable the public to ask questions and provide comments to the CRT team. Go to: [civilresolutionbc.ca](http://civilresolutionbc.ca)

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