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## Strata Living

Headline: Private Records

Topics: Hardship

Publication / Date: 24 Hours, Oct 22, 2015

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**Dear Tony:** How much information is a strata council permitted to request when it comes to enforcing bylaws? We have an owner who has informed us his daughter is renting his unit and is exempt from our rental bylaws. The strata council requested a Form K for tenant's responsibilities, but the owner has ignored us, so the council visited the unit, provided a copy of the bylaws and rules to the tenant. The tenant asked if she could change her parking space, which led to a conversation about her relationship with the owner and the information she had been given. As a result the council president found out the tenant had no relationship with the owner of the strata lot. The council have since sent a notice of complaint to the owner of the strata lot, and we will start fining the owner \$500 a week for being in violation of the bylaws, but how do we know if a person is a family member?

*Joyce C. Burnaby*

**Dear Joyce:** The strata corporation has an obligation to enforce bylaws and there will be times when owners and tenants may require exemptions or accommodation for special circumstances, but that doesn't mean you have to blindly take someone's word for it. Exemptions exist for rental bylaws, such as family rentals, hardship exemptions, and owner developer exemptions. The owner developer rental disclosure exemption is easily resolved by reviewing the filed rental disclosure statement. Hardship requests require an application from the owner requesting the hardship and stating the reason for the exemption. The strata corporation is permitted to request verification of the reason, and require the owner to provide documents, such as personal financial records or medical records, to determine if the exemption is valid. Family rentals rely on an owner's information, and while strata councils are not permitted to screen tenants, they may request

verification of the family relationship, either as the parent or child of the owner or the owner's spouse. Owners or tenants may also be requesting accommodation under other bylaws such as pet restrictions, or alterations bylaws. A person may require a certified assistance pet or special accommodation to a strata lot for access, and the strata corporation may be required to provide permission for the exemption or the required alterations. In each of the circumstances the strata council is permitted to verify the information and request documentation for the exemptions. Any information gathered for the exemptions must be protected, and the strata needs to exercise a high standard of care to ensure personal information is properly managed under BC's *Personal Information Protection Act*.