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## Strata Living

Headline: The Strata Mailing Address

Topics: Notice, Record Keeping

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Written by: Tony Gioventu

**Dear Tony:** An owner in our strata has claimed they sent a letter to our strata mailing address requesting an exemption from the strata bylaws because of a hardship. They claimed we did not respond and as a result they are automatically exempt. They rented out their unit one month later so the strata has given them a notice of bylaw complaint and the manager has advised them on May 1<sup>st</sup>, the strata will start imposing fines of \$500 per week until their tenant leaves. We have received a letter from the strata lawyer advising we are in violation of the *Act* and the strata cannot impose any fines. They have provided a copy of the envelope and the name of our previous management company address was on the envelope. Because they sent this to the wrong address, but still attempted to send it, are we required to permit the exemption?

*Barrie W. President*

**Dear Barrie:** The address that was used is still the current and official address that is filed in the Land Title Registry for your strata. Under the *Strata Property Act*, the strata corporation must ensure that the correct mailing address is filed in the Land Title Registry. The strata is required to use the Form D provided in the regulations and keep their official mailing address up to date. Whether your strata is a duplex or 800 units the same requirements apply. When an owner submits a request to a strata corporation they are permitted to use the most recent mailing address on file in the land title office as an official address of notice. Once a notice is sent to the address, it is deemed to be received by the strata corporation 4 days after it was mailed. Strata management companies are often the official mailing address; however, this may vary for each strata depending on the instructions of council and the agency agreement. Because the owner complied with the requirements of the *Act* in giving proper notice, and your strata has not complied by updating your mailing

address, you failed to respond within the 2 week time period required by the *Act*. As a result the hardship is automatically granted.