

PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No.

707

, Approved and Ordered

DEC 10 2009



Lieutenant Governor

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that

- (a) sections 2, 3, 4, 6, 7 (b), 8, 9, 11, 13, 14, 17, 18, 20 to 24, 26, 28, 29, 32, 33 (b), 35 and 36 of the *Strata Property Amendment Act, 2009*, S.B.C. 2009, are brought into force, and
- (b) effective January 1, 2010, the *Strata Property Regulation*, B.C. Reg. 43/2000, is amended as set out in the attached Schedule.



Minister of Housing and Social Development



Presiding Member of the Executive Council

*(This part is for administrative purposes only and is not part of the Order.)*

Authority under which Order is made:

Act and section:- Strata Property Amendment Act, 2009, S.B.C. 2009, s. 37; Strata Property Act, S.B.C. 1998, c. 43, s. 292

Other (specify):- OIC130/2000

October 27, 2009

R/817/2009/7

## SCHEDULE

- 1** *Part 4 of the Strata Property Regulation, B.C. Reg. 43/2000, is amended by adding the following section:*

**Definition for section 34.1 of the Act**

- 4.01** For the purposes of section 34.1 of the Act, “**hearing**” means an opportunity to be heard in person at a council meeting.

- 2** *Section 6.8 is amended by*

*(a) renumbering the section as section 6.8 (1), and*

*(b) adding the following subsection:*

- (2) For the purposes of section 108 (4.1) of the Act, the maximum rate of interest that a strata corporation may establish under that section is 10% per annum compounded annually.

- 3** *Section 6.11 is amended by striking out “in the following investments for the purposes of section 95 (2) (a) of the Act:” and substituting “or money collected on a special levy in the following investments for the purposes of section 95 (2) (a) or 108 (4) (b) (i), as the case may be, of the Act:”.*

- 4** *The following section is added:*

**Investment of money collected under special levies**

- 6.12** (1) Subject to subsection (2), a strata corporation need not comply with section 108 (4) (b) of the Act with respect to money collected on a special levy if that money was invested by or on behalf of the strata corporation before the coming into force of this section.

- (2) If an investment referred to in subsection (1) is disposed of after the coming into force of this section, the proceeds from the disposition may only be invested as permitted by section 108 (4) (b) of the Act.

- 5** *Section 17.15 is repealed.*

- 6** *Section 18.1 is repealed.*

- 7** *Form I is amended by striking out “\* Section 128 (3) of the Act provides that an Amendment to Bylaws must be filed in the land title office within 60 days of the amendment being approved.” and substituting “\* Section 128 (2) of the Act provides that an Amendment to Bylaws must be filed in the land title office.”*

- 8** *Form J is amended*

*(a) before section 1 by adding the following:*

This Rental Disclosure Statement is [Check whichever box is correct and provide any required information.]

- [ ] the first Rental Disclosure Statement filed in relation to the above-noted strata plan
- [ ] a changed Rental Disclosure Statement filed under section 139 (4) of the *Strata Property Act*, and the original Rental Disclosure Statement filed in the relation to the above-noted strata plan was filed on .....[dd/mmm/yyyy]..... , **and**

**(b) in sections 2 and 3 by repealing the table and substituting the following:**

Description of Strata Lot [ <i>strata lot number as shown on the strata plan</i> ]	Date Rental Period Expires [ <i>specify a date – “indefinitely” or timing related to an event is not acceptable</i> ]*
	[dd/mmm/yyyy]
	[dd/mmm/yyyy]

\*Section 143 (2) of the *Strata Property Act* provides that, if this Rental Disclosure Statement is filed after December 31, 2009, a bylaw that prohibits or limits rentals will not apply to a strata lot described in this table until the date set out in the table opposite the description of the strata lot, whether or not the strata lot is conveyed before that date.