



BULLETIN

News and resources for BC strata owners, councils, and industry professionals



MAY 2023

Vancouver Island Strata Owners Association

VISOA Bulletin

Editor: Bulletin Committee

Graphic Design: Bulletin Committee

Advertising Coordinator: Cindy Young

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The Bulletin is a digital magazine published by the Vancouver Island Strata Owners Association (VISOA) four times per year.

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VISOA is an independent, non-profit, member-funded society. Formed in 1973, it is the longest-running organization of its kind in Canada. VISOA provides education, support, and advocacy for British Columbia strata owners and strata corporations. As part of its mandate, VISOA meets with government and industry associations, and sits on advisory panels to advocate for BC strata owners and strata corporations.

Membership is open to any resident of BC, strata corporations (such as condominiums, townhouses, bare land, and commercial stratas) and businesses that provide goods and services to stratas. Visit our website or contact us for more information about membership.

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On the cover: Strata VIS1 - Evergreen Terrace, in the scenic village of Port Alice, is the first strata incorporated on Vancouver Island. Our 63 townhouses are located on a peaceful 5-acre property with beautiful vistas of rainforests and Neroutsos Inlet where humpback and killer whales frequently visit. – Susan Hunter

Disclaimer: The material in this publication is intended for informational purposes and cannot replace consultation with qualified professionals. Legal advice or other expert assistance should be sought as appropriate.

■ Age Restriction Bylaws: New Exemptions for Spouses and Children

As of November 24, 2022 the *Strata Property Act* only allows strata corporations to have age restriction bylaws that set a minimum age of 55 or greater. The wording in section 123.1 was changed slightly when [Bill 24](#) passed on April 25, 2023. It's now clearer that this applies to all age restriction bylaws regardless of when they were created.

[Section 123.2](#) of the *Strata Property Act* sets out certain exemptions to age restriction bylaws.

- A person who resided in a strata lot immediately before an age restriction bylaw was passed (a “legacy exemption”)
- A caregiver who resides in the strata lot for the purpose of providing care to another person
- A person in a prescribed class of persons

What is a prescribed class of persons?

On May 1, 2023 Strata Property Regulation 7.01 became

effective by [Order in Council No. 276](#). This regulation sets out the prescribed classes of persons who are also exempt from an age restriction bylaw.

The determination of whether a person is exempt from the bylaw depends on their relationship to the “specified resident” (SR). These persons are exempt:

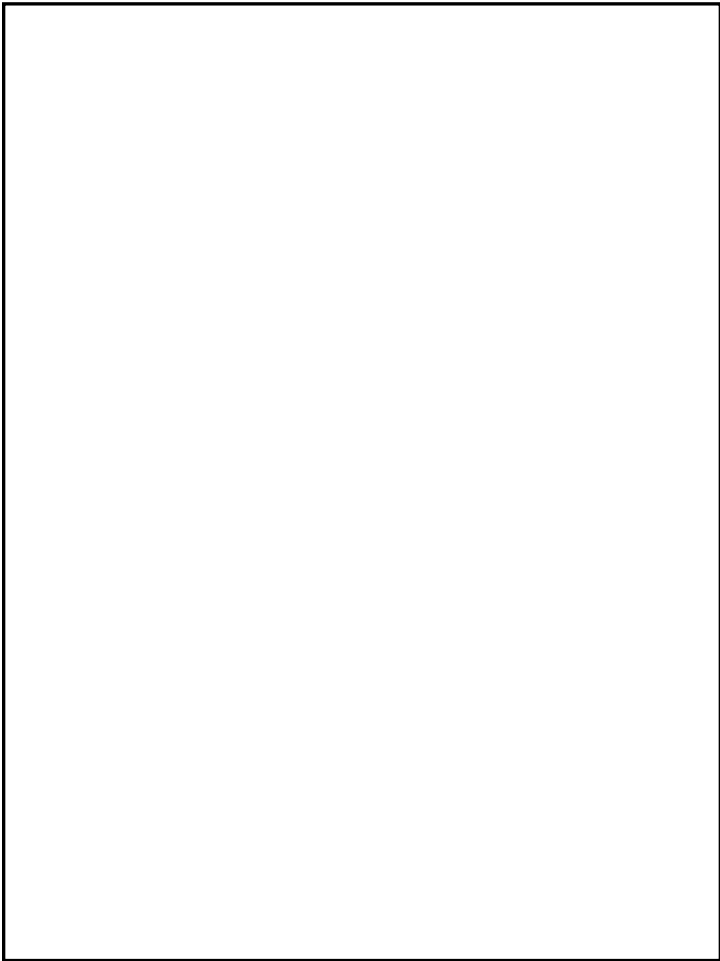
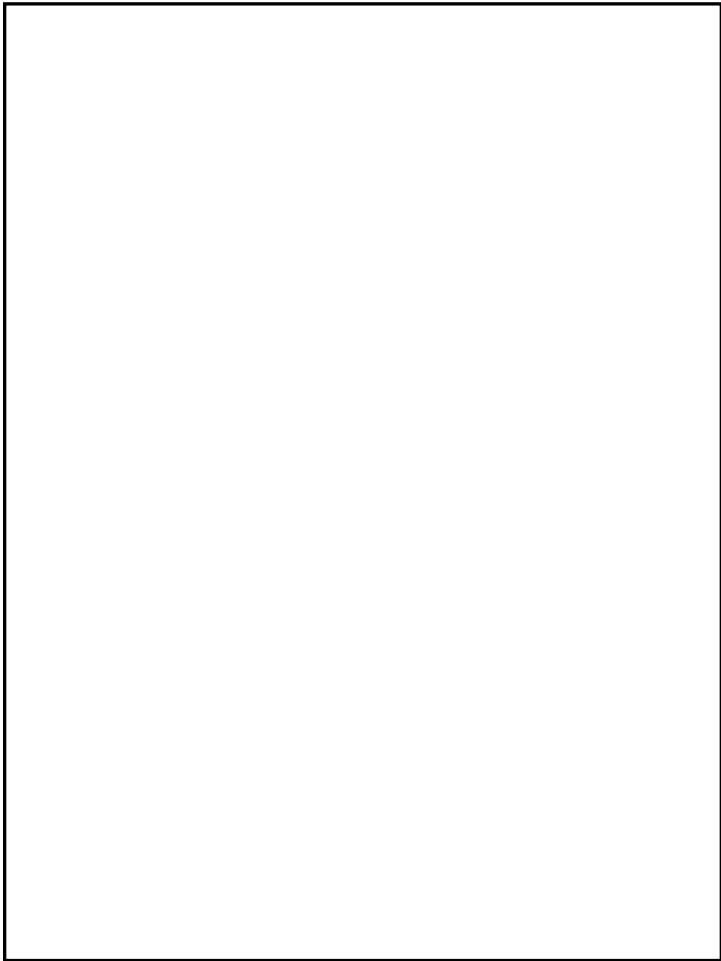
- A spouse or person living in a marriage-like relationship with a SR
- Children if their caregiver is a SR

What is a specified resident?

A specified resident (SR) is a resident such as an owner, tenant, or occupant who:

- Has reached the age specified in the bylaw, or
- Is exempt because they resided in a strata lot immediately before an age restriction bylaw was passed (a “legacy exemption”)

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What age restriction bylaws are enforceable?

Here are some examples to illustrate whether an age restriction bylaw is enforceable.

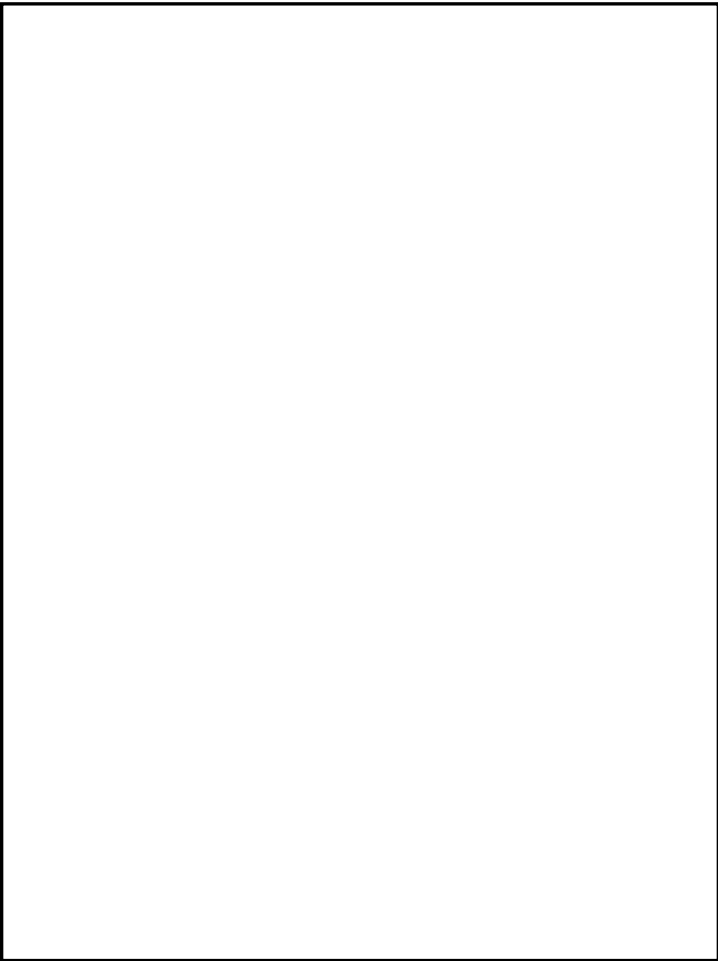
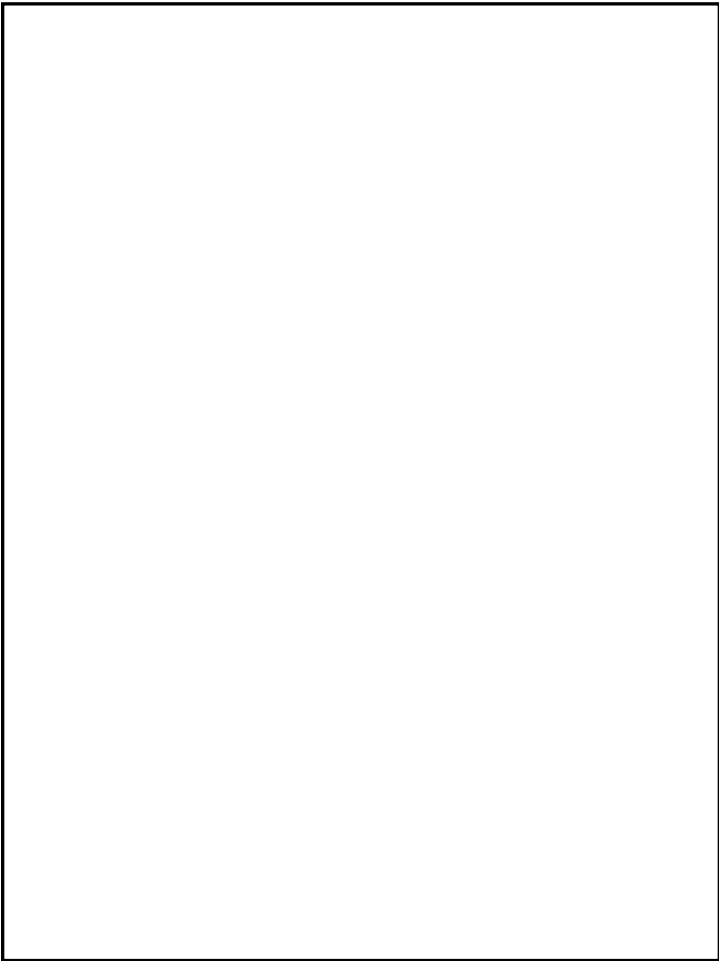
- A strata corporation has a bylaw that requires at least one person who resides in a strata lot to be 40 years of age or older. This bylaw is not enforceable. However, the owners could pass a new bylaw setting an age that is not less than 55.
- A strata corporation has a bylaw that requires at least one person who resides in a strata lot to be 55 years of age or older. This bylaw is enforceable unless the person is exempt.
- A strata has a bylaw that requires all persons who reside in a strata lot to be 60 years of age or older. The age set in this bylaw is valid. However, a SR’s younger spouse or partner and children they care for are exempt.

Examples of the new exemptions

How do the new exemptions for spouses, partners, and children apply in common situations? In these examples,

- the strata corporation has an age restriction bylaw that requires at least one person to be 55 years of age or older. The bylaw was properly passed by 3/4 vote at an annual or special general meeting and was filed at the Land Title Office in 2019.
- Liang is 56 and Mei is 35. They are looking to purchase (or rent) a unit in this strata and are worried about the age restriction bylaw. Mei could reside with Liang because he would be a “specified resident” (SR). They are planning to have children in the next few years. Their future children would be exempt since Liang is a SR. When Mei reaches 55, she would also be a SR.
 - In February 2023, Therese and their partner Jamie moved into a strata unit as tenants. They are 27 and 32 respectively. The age restriction bylaw can be enforced as neither of them is 55 or older.
 - Karl is 57 and decides to rent out his second bedroom to Paul who is 51. They are not living in a marriage-like relationship. The age restriction bylaw can be enforced as Paul is not 55 or older.

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Age Restriction Bylaws: New Exemptions for Spouses and Children

- Theo is 59. He falls in love with Petra who is 45 and asks her and her 9-year-old son to move in with him. Petra is exempt if she lives with Theo in a marriage-like relationship. The regulation does not require them to live together for a specified length of time to be considered living in a marriage-like relationship. Whether Petra’s son is exempt depends on whether Theo is considered to be his “caregiver”.
- Cheryl is 35. She has a legacy exemption which makes her a SR. A few years later she marries Kris who is 42. Kris is exempt from the age restriction bylaw. Cheryl and Kris adopt Jasmin who is 3 years old. Jasmin is exempt because Cheryl is one of her caregivers. Cheryl and Kris divorce and Cheryl moves away. Kris is still under 55, so Kris and Jasmin are no longer exempt. However, Bobbie moves in and, at age 56, is a SR. If Bobbie and Kris marry or live together in a marriage-like relationship, then Kris is exempt. Jasmin is exempt if Bobbie is considered one of her caregivers.
- Anika and Kamal are 58 and 62 respectively. Their adult son Rohan has fallen on hard times and needs

a place to live. Rohan can reside with his parents since they were his caregivers when he was under 19. However, Rohan’s wife isn’t exempt because his parents weren’t her caregivers when she was a minor. Depending on the circumstances, Anika and Kamal might be considered caregivers of Rohan’s children.

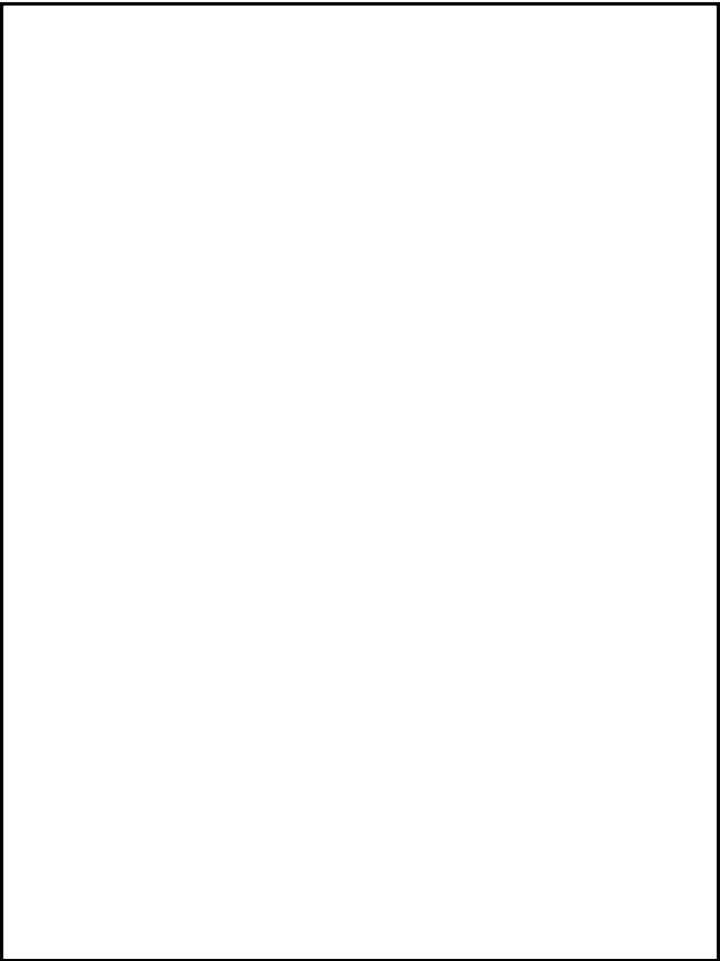
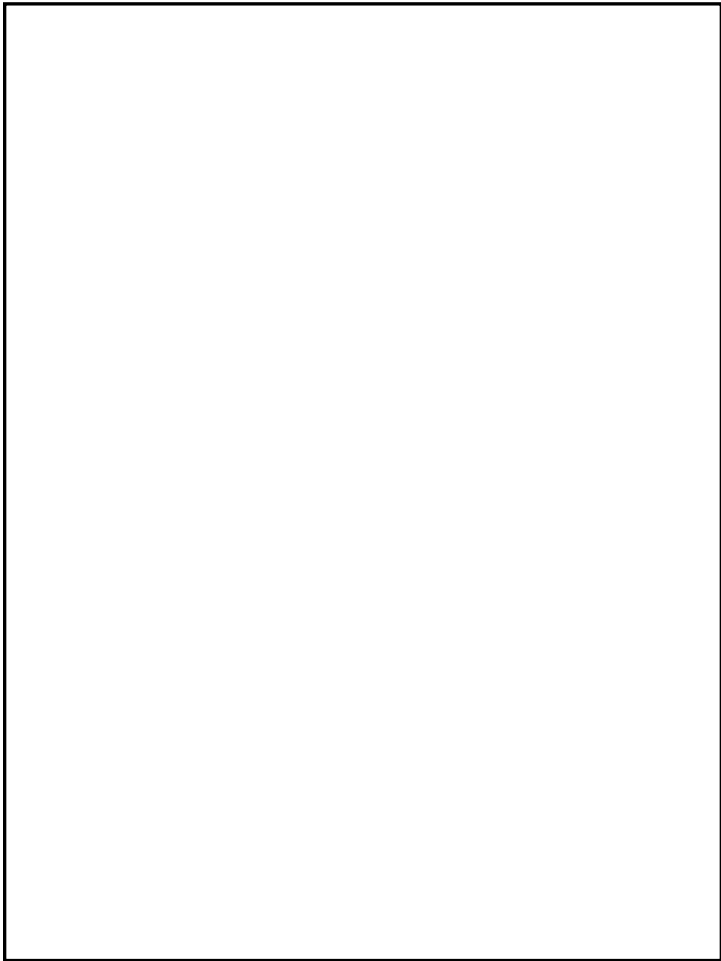
Legal opinions

At the time of writing this article, [Strata Property Regulation 7.01](#) has been in effect for just a few days.

Over the next few weeks, we expect that strata lawyers across BC will be carefully reviewing the wording of Regulation 7.01 and [section 123.2](#) of the *Strata Property Act*.

We look forward to hearing their interpretations, particularly in regards to the meaning of a caregiver for determining exemptions for children and grandchildren. [V](#)

VISOA prepared this article for informational purposes only. Strata councils that have questions about when they can enforce an age restriction bylaw are advised to contact a strata lawyer. See [VISOA’s Business Directory](#).



■ The Importance of Updating Strata Bylaws

by Shawn M. Smith

Having good bylaws is important not only because they shape the community in which everyone lives, but they are the means by which that community is governed. Over time changes in the ownership, attitudes and circumstances may change. If the bylaws no longer reflect the nature of the community nor allow it to be properly governed (either because a bylaw is unenforceable or key provisions are missing) then they are not doing what they are supposed to.

This article will touch on some of the things strata corporations should consider when contemplating an update to their bylaws.

3 reasons to review your bylaws

Bylaws need to be compliant with the *Strata Property Act* (SPA) and other laws or enactments such as the [Human Rights Code](#) and [Personal Information Protection Act](#). To the extent they are not, they are unenforceable ([s.121 SPA](#)). Bylaws also need to reflect the requirements of case law. Examples of this are the [Civil Resolution Tribunal decisions](#) requiring a bylaw in order to charge

amounts back to an owner; whether that be a deductible, repair costs or legal fees. Lastly, bylaws need to address the current issues and concerns facing the strata corporation. Are owners clamouring to install heat pumps or air conditioning units?

Annual review by the strata council

Bylaw review should ideally be an annual process. The pace of change is fast in all areas of life and strata corporations are no exception. The law changes and that can impact how bylaws are applied and how strata corporations operate. Strata councils should routinely review the bylaws to determine whether there have been:

- any changes to the SPA – what needs to be updated to either be compliant or implement new provisions
- any changes to other legislation (the SPA is not the only legislation which affects how strata corporations operate)
- decisions from the BC Supreme Court or Civil Resolution Tribunal which deal with the powers and duties of strata corporations or interpret how bylaws are applied)
- new things not contemplated by the bylaws which have arisen (i.e. electric vehicles, heat pumps, etc.)
- changes in the nature or desire of the community (i.e. do certain provisions even apply any more), and
- problems or issues that have arisen and are not addressed in the bylaws

How a strata lawyer can help

A strata corporation requires a solid set of bylaws. If the bylaws have not been updated for several years, there may be multiple areas that are not as they should be. Unless there has been a situation or issue, that may not have posed a problem. However, one does not want to find out when trying to address a problem that the bylaws don't help.

A lawyer can assist by reviewing the bylaws and identifying issues and concerns with the current set. Most experienced strata property lawyers will have a standard precedent set of bylaws that can be adapted to meet a strata corporation's particular needs and desires.

Bringing the bylaws up to date can be achieved either through introducing whole new package or making amendments to the current bylaws. To determine which approach to take strata corporations should consider.


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The Importance of Updating Strata Bylaws

- when the bylaws were last updated (the older they are the more likely a complete overhaul is needed)
- how many changes are needed or desired
- how well written they are (the wording of the bylaws is as important as the content itself when it comes to interpretation and application)

Owner engagement

Owner involvement in the update process is important, particularly if a new bylaw package is being introduced. [Section 128](#) of the *Strata Property Act* requires $\frac{3}{4}$ vote approval for any changes (in a mixed commercial and residential strata corporation any changes require a $\frac{3}{4}$ vote of each group). This means significant opposition to even one bylaw can defeat a whole new bylaw package. Owner involvement is best achieved through an information meeting before the package or amendments are put to the owners for a vote at an annual or special general meeting. Feedback and concerns can be addressed and certain bylaws can even be removed from the package and voted on separately. Note that [section 50\(2\)](#) of the SPA prohibits substantial amendments to $\frac{3}{4}$ vote resolutions.

In the end, a solid comprehensive set of bylaws which properly addresses the concerns and desires of the community will make strata governance easier and more effective. 

This article is intended for information purposes only and should not be taken as the provision of legal advice. Shawn M. Smith is a lawyer whose practice focuses on strata property law. He frequently writes and lectures for strata associations. He is a partner with the law firm of [Cleveland Doan LLP](#) and can be reached at (604)536-5002 or shawn@clevelanddoan.com. He can be followed on Twitter [@stratashawn](#).

■ Editor's Message

If you're feeling a little overwhelmed by changes in the strata universe over the last few months, you're not alone. We hope you find the articles in this issue help you stay up-to-date with changes to legislation regarding exemptions to age restriction bylaws, changes to voting thresholds to approve EV charging infrastructure projects, and more.

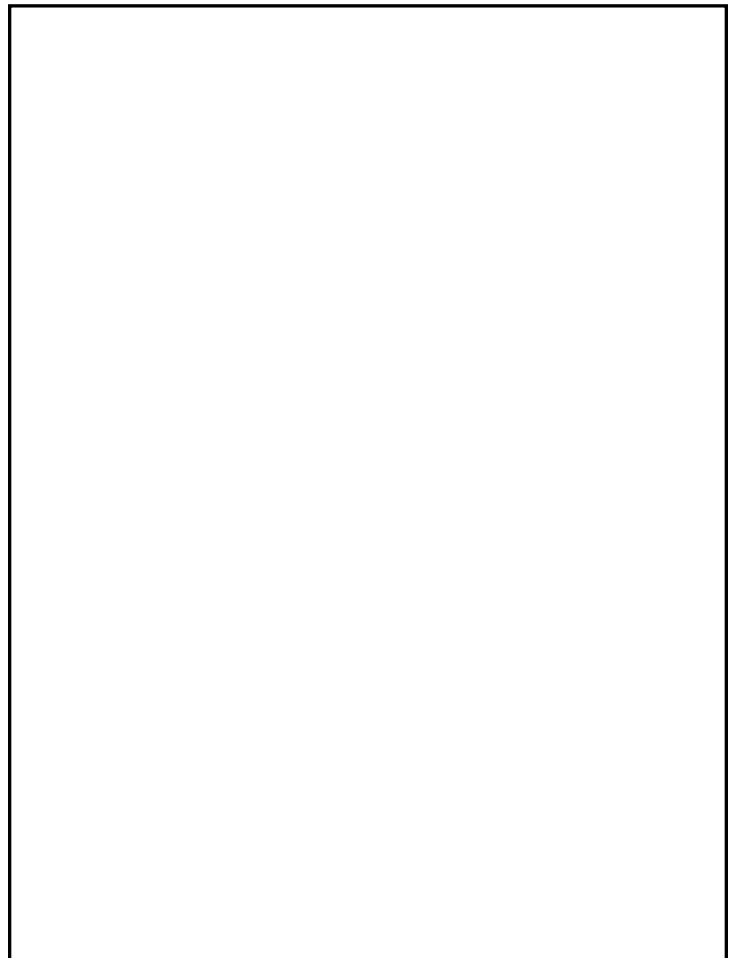
In February, to kick off VISOA's 50th anniversary year, we asked you, our members, and our readers, to send us your stories. We are all strata owners and collectively we've survived the last 50 years! We received this story

from S.P. in Comox:

I have lived in my strata since 2005. Over the years I have had a personal membership and eventually was able to convince my strata council of the benefits of a corporate membership...There is a lot to know about living in a strata and it seems I am still learning new things. I have been assisted by VISOA on topics such as AGM procedures, trees, and bylaws. When I ask for help I am often emotionally attached to an issue. I find that getting the information from VISOA helps to give me perspective and relieves some of the tension. Strata living is constantly changing in BC. VISOA supports both individuals and strata councils to be informed about strata life.

Was there a time when a VISOA volunteer helped you or your council through a difficult time? Do you have a story to share about a time you volunteered with VISOA? Send your story to: editor@visoa.bc.ca 

VISOA Bulletin and Suite of Services committees are Wendy Wall, John Grubb, David Stinson, and Geraldine Svisdahl, with special thanks to volunteer Janice Foley, and Advertising Coordinator Cindy Young.



■ 6 Things Every Strata Should Know About the BC Fire Code

by Kathleen Nicholas

When it comes to life safety in condominium stratas, each owner bears some degree of responsibility, both for their own safety and the safety of the other residents.

Under the B.C. Fire Code the owner (the strata corporation) is responsible for carrying out the provisions of the Code. Many strata councils aren't aware that they cannot rely on property managers and service providers alone. In the end, the responsibility lies with the strata council to ensure that the strata is in compliance with the Code and standards. Failure to meet standards can lead to increased risk, greater liability, and potential issues obtaining insurance.

Let's talk about the B.C. Fire Code's top 6 requirements:

1. Periodic testing and inspections of life safety systems

The Code outlines the life safety systems that are required to be maintained and includes everything from fire alarm panels and emergency power to extinguishers and smoke alarms in suites. Each section references a specific standard that fully explains all the testing and

inspection, as well as the record keeping requirements, for each system. Each has a timeline for required testing, with some needing inspection daily, weekly, or monthly and others over 50-year time spans. Knowing what's required for your systems, and the information to be included in reports, gives you a checklist to see that your service provider is doing their job right. For example, inspection and testing of fire alarm systems is governed by Underwriters Laboratories of Canada (CAN/ULC) Standard 536. View Standard 536 online by setting up a free [UL Standards account](#). Other reference standards must be purchased.

2. Duty to repair and maintain equipment

The standards also spell out that all fire protection installations shall be maintained in operating condition, which means all life safety systems in the building. Some repairs will be periodic, like new batteries for your fire alarm panel or emergency lights, and some will be on an emergency basis, like a new control unit for your alarm panel when it fails suddenly. Failure to maintain can

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6 Things Every Strata Should Know About the BC Fire Code

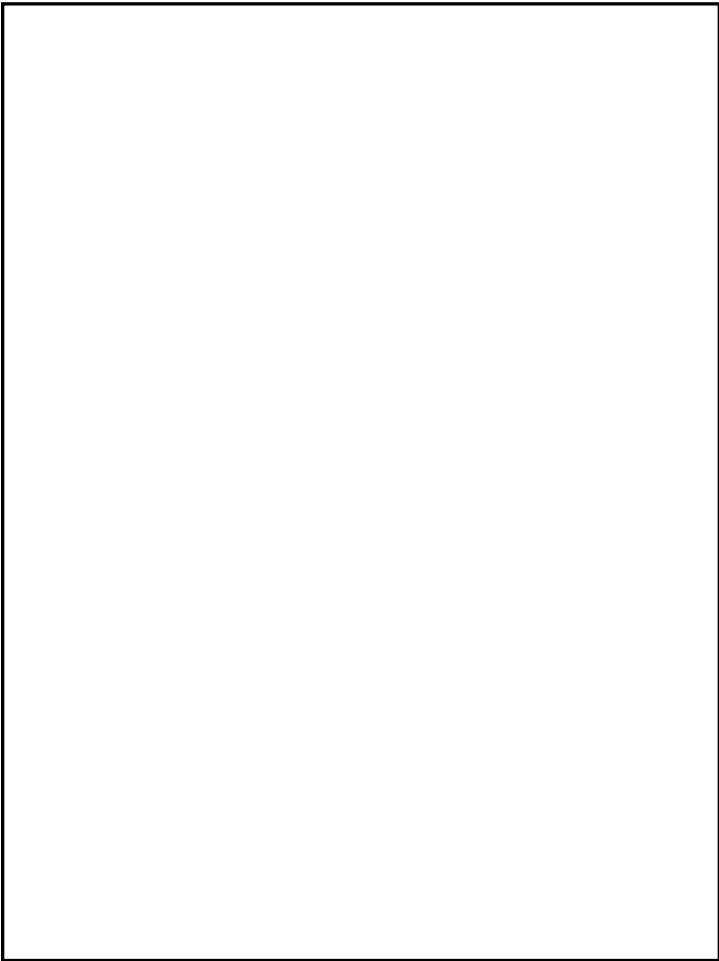
greatly increase the risk of insurance liability, as most insurers require that stratas notify them when the building's life safety systems are down.

3. Protection during shutdown and fire watch

That insurance risk is even higher if your system is shut down or non-operational. Interruption of normal operation for any purpose constitutes a "temporary shutdown," during which, alternative measures are necessary to ensure that the level of safety intended by the Code is maintained. These measures should be worked out in cooperation with the fire department to ensure that everyone in the building can be promptly informed, and the fire department notified, should a fire occur. This could include starting a fire watch, which requires that the entire building be inspected, floor-by-floor including all utility rooms, every half hour during the day between 8:00 am and 9:00 pm and every 15 minutes during the night between 9:00 pm and 8:00 am.

4. Fire Safety Plans & Emergency Procedures

All buildings that have a fire alarm system are required to have a fire safety plan and evacuation graphics in plaques that you normally see next to the elevator.




The fire safety plan is meant to be a living document that clearly spells out the emergency procedures, the organization and training of supervisory staff, and includes building floor plans showing the placement of all life safety equipment. These plans must be reviewed by the Fire Department and updated annually.

5. Having trained supervisory staff

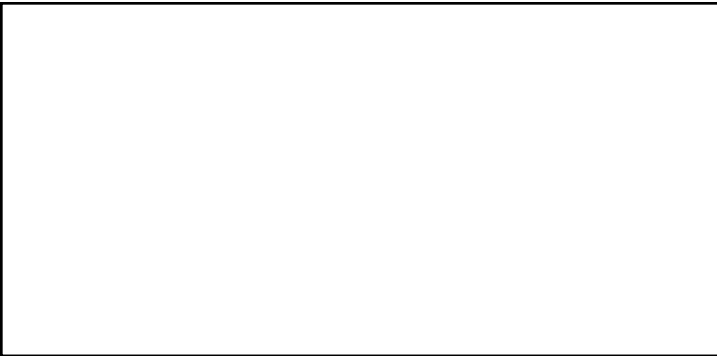
The most important part of fire safety planning is the assignment of Fire Safety Director and Deputy Directors, who will act as the supervisory staff. They can be an owner, caretaker, or service provider. They are not required to live on site but must be able to respond within 30 minutes of an alarm. They must, at minimum, be trained to ensure that:

- all equipment is tested and inspected as needed and repairs made
- offset the hazards to residents when fire protection systems are inoperable
- residents are given information about fire safety and evacuation procedures
- they are familiar with the B.C. Fire Code and applicable Standards

6. Record Retention

The B.C. Fire Code requires the strata to keep records for at least two years. However, [section 35\(2\)\(n.2\)](#) of the *Strata Property Act* and [Regulation 4.1\(2.1\)](#) require the strata corporation to keep reports about the repair or maintenance of major items for the lifetime of the equipment, until it is disposed of or replaced. We encourage stratas to insist on written reports any time their service provider does anything on site, especially during repair work. 

Kathleen Nicholas is Lead Project Administrator for [Sterling Fire & Associates Inc.](#), which specializes in helping stratas through the fire alarm upgrade process. Contact her at (250) 661-9931 or sterlingfire@ymail.com.





Depreciation Reports 10 Years On

An Interview with Jan Craig

Looking back over the last 50 years, there are points in time that stand out in our collective history as strata owners. In one of her articles, past-president Sandy Wagner called 2012 “the year of the depreciation report”. Record numbers of strata owners attended VISOA seminars to learn about depreciation reports. In short, the report contains an inventory of common property such as buildings and systems, a summary of the repairs and maintenance work that will be needed over a 30-year period, and a financial forecast. The information is intended to help strata corporations budget and plan for major repairs and renewals.

Strata corporations that existed on December 14, 2011 were required [to obtain a depreciation report](#) by December 14, 2013. Strata corporations formed after December 14, 2011 are required to obtain the report within 6 months after the strata’s second annual general meeting. The *Strata Property Act* exempts strata corporations of fewer than 5 strata lots in the strata plan. It also permits strata corporations to waive the requirement by a resolution passed by a 3/4 vote at an

annual or special general meeting within each prescribed period.

In August 2012, Jan Craig, an owner at a forward-thinking strata, wrote the first of a series of three articles about her condominium strata’s experience after obtaining its first depreciation report in 2008. In her third article in the February 2013 issue of VISOA’s Bulletin she wrote, “For years we have been able to ignore the real costs of strata living and push those costs to some future date that we hoped would never arrive. The new legislation will make this kind of ostrich-thinking increasingly hard to do. Your depreciation report has just quantified how expensive living in your condo will be.”

We contacted Jan to revisit the topic of depreciation reports 10 years on.

Q: In 2012, you wrote, “The immediate reaction to your first depreciation study will no doubt be shock and dismay.” Do you think attitudes have changed regarding obtaining depreciation reports?

A: While there was initial resistance, most strata corporations have now accepted the practice and have benefited from the tools those reports provide for managing the long-term maintenance and renewal of physical assets.

Q: How do you think BC compares to other provinces?

A: The Canadian Institute of Actuaries (CIA) in a 2022 research paper ([Longevity of Infrastructure – Reserving and Risk Management in Condominium Maintenance in Canada](#)) rates each of the provinces on the adequacy of the legislation governing reserve fund management from the perspective of consumer protection, long-term sustainability, and the preservation of infrastructure and assets. BC’s legislation does little to provide a framework to help strata corporations fulfill their fiduciary responsibilities and thus scores a low 39% (while Ontario scores 77%, Manitoba 55%, and Alberta 52%.) BC’s *Strata Property Act* fails to do two important things: 1) require that all owners share the costs of capital renewals over time; and 2) establish a minimum contribution level that reflects a fair sharing of those costs. The problem of chronic CRF underfunding in BC has not been solved.

Q: What are your observations about owners’ attitudes about strata fees and contributing to the contingency reserve fund (CRF)?

A: Councils are often put in a difficult position: pressured

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to keep fees low while striving to ensure adequate funds in the CRF. Our investment in our home is probably the single largest investment that most of us make. We share responsibility for its management and maintenance. This means that we each own a share of the annual decline in the value of the assets we use during the period of our ownership.

The fairest way is to share the costs of capital renewals across the ownership over time. In our desire to keep strata fees low, we are eroding the financial health of the corporation which represents the health of our investment, “our money.”

Q: What are your thoughts about the basis for contributions to the CRF?

A: One of the main goals of the legislation introduced in 2013 was to end the chronic underfunding of contingency reserve funds. This problem had destabilized the strata sector for decades.

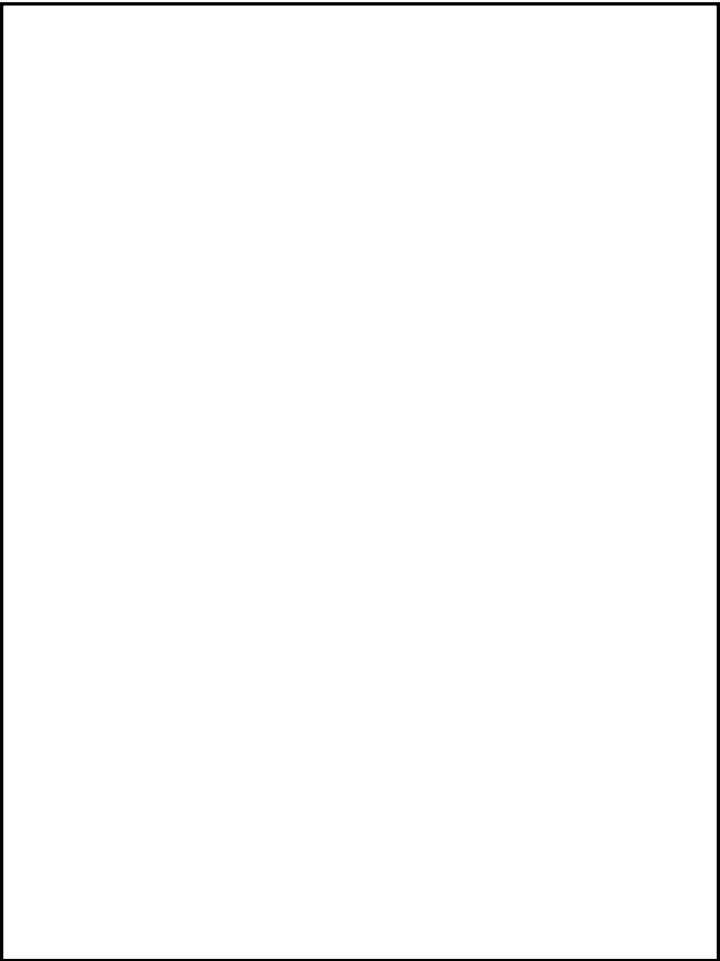
The recent revision to the *Strata Property Act*, which simply [raised the required minimum](#) CRF contribution to 10% of the annual operating budget, does absolutely nothing to address this problem. It simply allows us to

continue to underfund with impunity.

Basic consumer protection requires that both current owners and prospective buyers know the real cost of living in a strata. The failure to address the reality of depreciating assets leaves strata owners in an unprotected and vulnerable position. The costs of major repairs and renewals will continue to be pushed onto future owners often by special levy. Deterioration of physical assets, and the spiraling costs that place sudden and unacceptable financial burdens on many owners, have the predictable consequence of brewing another housing bubble and eroding the overall value in the strata housing market.

Contributions to the CRF should be based on the annual rate of depreciation of infrastructure and physical assets, not a percentage of the operating fund. By aligning CRF contributions with the rate of depreciation annually, the costs of renewals will be shared fairly across the ownership over time, your strata’s funding position will be improved, and the equity in your home will be better preserved.

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Q: Any final thoughts about the *Strata Property Act*?

A: As strata owners, we all have a stake in the viability, stability, and attractiveness of the strata housing market. Eventually, legislation will have to address the current funding deficiencies. The fall-out from that correction may well be ugly. In the meantime, we can work to address the underfunding in our own stratas by taking two simple steps. The starting point is to determine your annual rate of depreciation. The second step is to set your minimum CRF contributions to approximate that annual rate of depreciation.

VISOA: The passing of [Bill 14](#) in August 2020 opened the door to allow cabinet to create or amend certain regulations regarding the required frequency of depreciation reports, the ability to defer reports, the content of the reports, and more. We'll keep readers informed of any developments. **V**

VISOA is grateful to Jan Craig for taking the time to contribute to this article. See Jan's original articles in the [August 2012](#), [November 2012](#), and [February 2013](#) VISOA Bulletins.

Introducing New Business Members

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Power Strata Systems Inc.

PowerStrata is a cutting-edge, BC-based strata management software platform that helps strata corporations and managers work more efficiently.

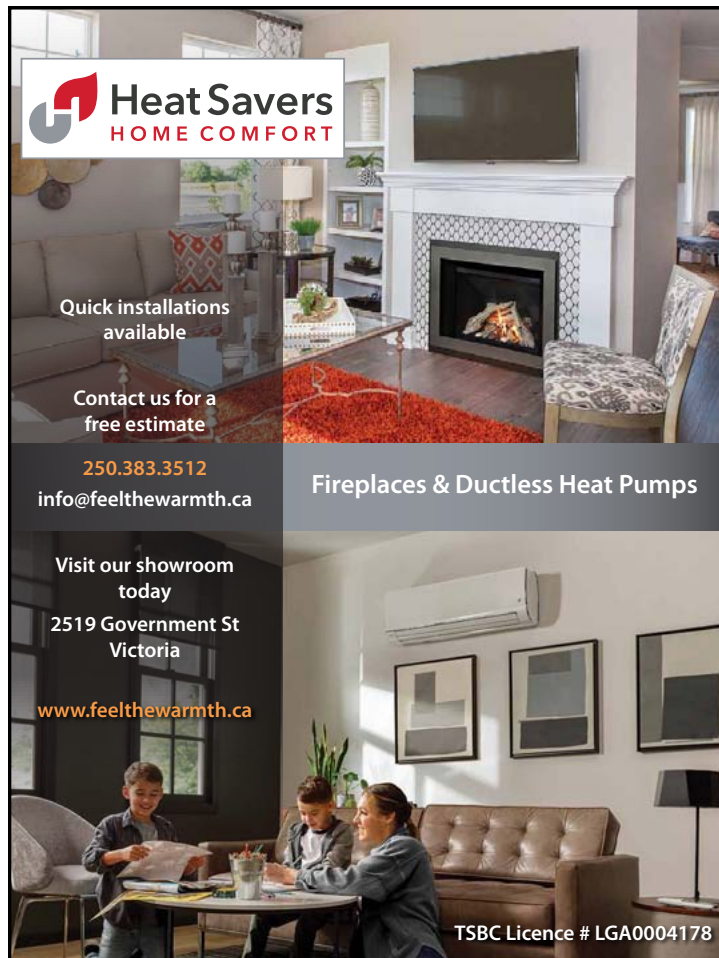
The simple to use platform is a robust solution that meets the needs of self managed and professionally managed strata properties of any size, including multi-building, mixed-use, and sectioned stratas.

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■ Introducing New Business Members

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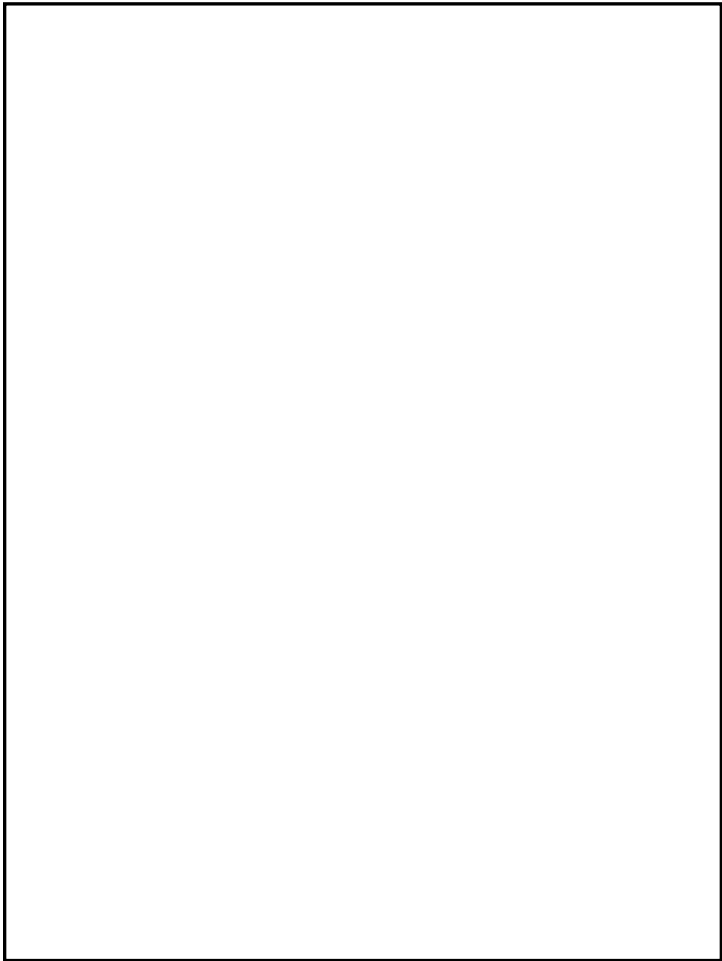
Through investment in our people, processes, and technology, Converge Condo Management delivers unparalleled customer service and advice to our clients throughout Greater Victoria and Vancouver Island.

Strata management is a people business. Our strata managers share a true desire to provide the highest level of customer service to our clients. We are committed to investing in our people to ensure they have the skills and knowledge to deal with the challenges that our strata corporations face.

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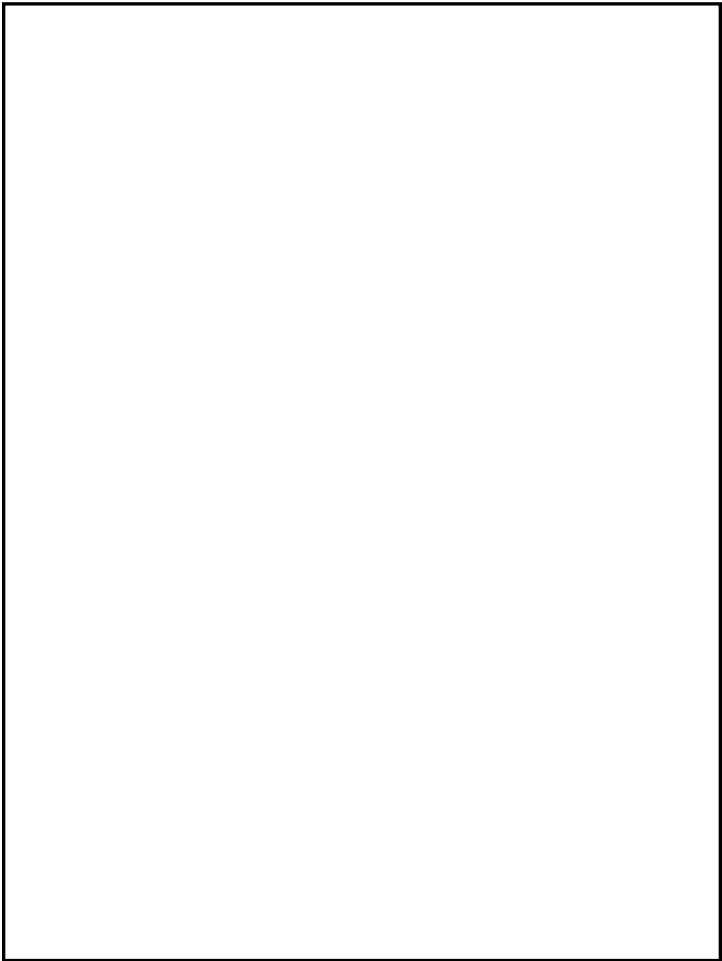
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■ Understanding Waste Removal Contracts

by Jason Rohrick

It's common for strata council members to change every year. This can make it challenging to keep track of contracts and renewal dates. One contract that strata councils should pay particular attention to is their waste removal contract.

How to read a waste removal contract

Waste removal contracts usually begin with a list of the services provided (e.g., waste, recycling, and kitchen scrap bins), the frequency of pickup, and price of each service. This is followed by a list of standard terms and conditions which often allow the contractor to quietly increase fees over time and lock the client into higher rates. By being aware of these practices and knowing how to respond, the strata corporation can strengthen its bargaining position to keep its waste removal fees reasonable.

Rate increases and hidden fees

Typically, the contractor has the right to increase monthly rates for any reason on 30 days written notice. Other charges may appear on the invoice such as

environmental charges, landfill fees, recyclable material offset charges, and regulatory cost recovery charges. Council members often assume these fees are required by local or provincial governments. In fact, they are imposed by the waste management company to boost its profit margin.

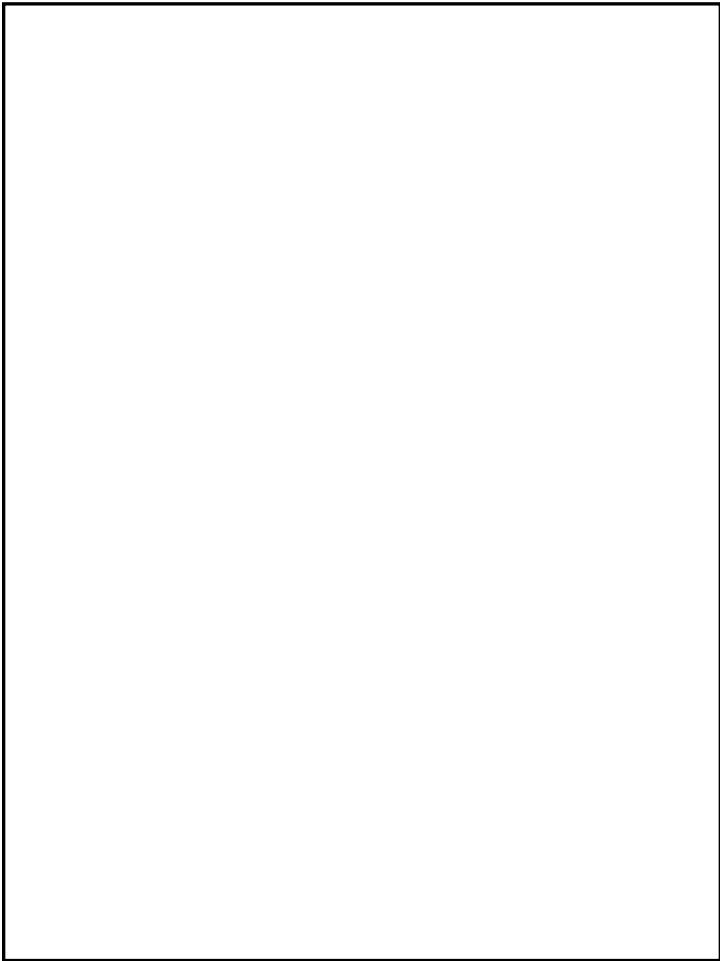
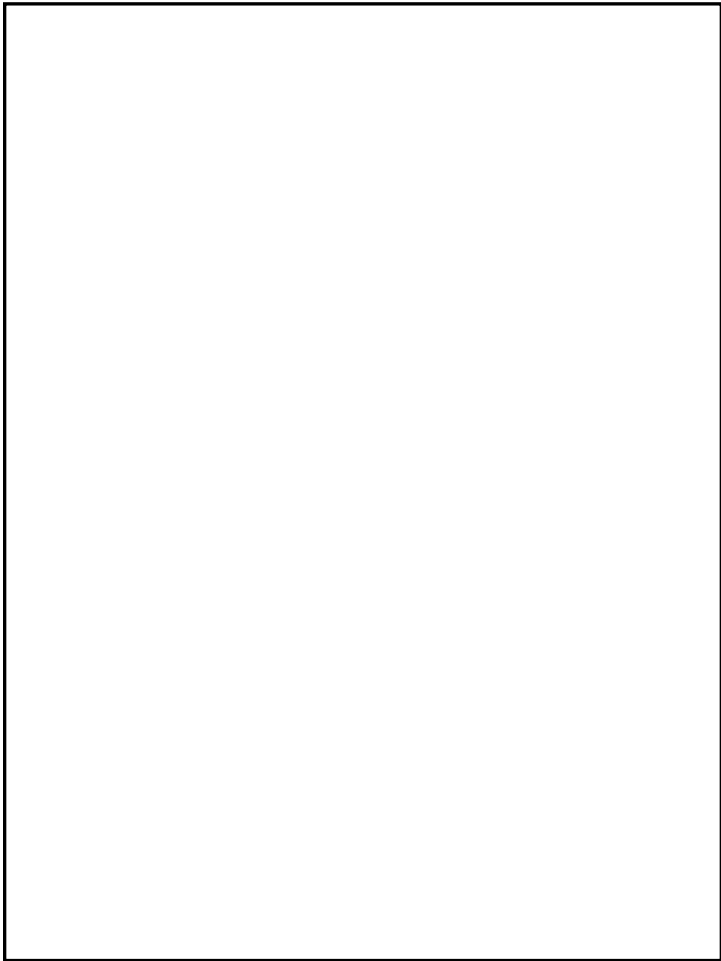
Brief time window to object to a rate increase

It can be difficult for the customer to object to a rate increase. First, it can be easy to miss the notice of an increase as it is often just a sentence in small print on a previous invoice. Second, the customer may be required to object in writing by registered mail. Third, the deadline can be as short as 15 days. The result is that a strata council may not notice the rate increase until the next invoice arrives and it's too late to object.

Automatic renewal

These contracts generally renew automatically. For example, a 5-year contract will usually renew automatically for another 5-year term. This allows the

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Understanding Waste Removal Contracts

contractor to lock in rates that are significantly higher than they might have been if the strata corporation had negotiated a fresh contract through a competitive bidding process.

Cancellation window

Typically, the contract can be terminated at the end of the initial term by giving written notice of termination within a specific time period (cancellation window). For example, the notice period might be not less than 90 days but not more than 180 days prior to the expiry of the applicable term. Most council members aren't aware of this strict time frame and miss the window. For example, they often assume that giving notice 30 or 60 days before the end of the term will suffice. They don't realize that they've missed the opportunity to cancel the contract and that the strata corporation is contractually bound to the automatic renewal.

Liquidated damages clause

If the strata corporation wants to terminate the contract but doesn't want to wait for the cancellation window, or misses the window, it will usually find that the contract awards compensation to the company for their

anticipated losses (liquidated damages). This means that, even though the strata is no longer receiving the services, it might have to pay for each month remaining in the term. Damages are usually calculated based on the average monthly charge for the most recent months.

There are numerous Civil Resolution Tribunal (CRT) small claims decisions that have awarded liquidated damages to waste management companies. The CRT often relies on a precedent from a BC Supreme Court decision in [Tristar Cap & Garment Ltd. v. Super Save Disposal Inc., 2014 BCSC 690](#).

What your strata corporation can do

Terms and conditions like those described above are designed to further the economic interests of waste management companies. There are several things a strata council can do to help contain costs for waste, recycling, and kitchen scraps removal:

- Carefully review invoices every month
- Follow the formal objection process if you disagree with rate increases or new surcharges
- Calculate the start and end dates of the cancellation window and record them in council meeting minutes
- Create a strata council calendar to record important dates and set up reminders
- Before the cancellation window opens, invite your current contractor and competitors to submit bids
- Negotiate changes to the terms and conditions, e.g., a shorter term (length) and a fixed percentage annual increase
- If your current contractor's bid is not competitive, proceed to terminate the contract
- Ensure the termination has been done correctly before entering into a contract with a new service provider to avoid being contractually bound to pay both companies

Get legal advice

Council may want to have the strata's lawyer review contracts from service providers before signing them. A full understanding of the terms and conditions could prevent issues down the road. Legal advice may be especially helpful if you are seeking to negotiate standard terms and conditions. [V](#)

Jason Rohrick is a Barrister and Solicitor who practices in the area of strata law. Contact him at 778-432-0447 or jrohricklaw@shaw.ca, rohricklaw.com.



2023 Cover Photo Contest

Submit your photo of a BC strata to editor@visoa.bc.ca. Photos selected for the cover of Bulletin issues in 2023 will be entered into a draw on December 1, 2023.

First prize: a one-year VISOA corporate membership for all owners in your strata.

Second prize: \$50



How to Calculate Strata Fees

by Gail Roberge

One of the cornerstones of strata living is that each owner contributes money to the strata corporation to pay for expenses. We generally refer to these as strata fees. Those fees contribute money to both an operating fund for expenses that happen at least once per year, and a contingency reserve fund (CRF) for expenses that happen less frequently.

It was recently reported to VISOA that as many as 38% of strata corporations are calculating strata fees incorrectly. Let’s look at the correct way to calculate fees starting with an understanding of unit entitlement.

What is a Schedule of Unit Entitlement?

This schedule sets out a basis to calculate strata fees and special levies. There is a numerical value for each strata lot. The schedule is filed at the Land Title Office. Here’s an example:

Strata Lot	Unit Entitlement
1	752
2	595
3	640
4	764
5	1,074
6	1,175
Total U. E.	5,000

Calculating strata fees

Section 99 of the *Strata Property Act* explains how to use unit entitlement to calculate each strata lot’s share of the contributions in the budget. In this example the strata owners passed a 12-month budget at their annual general meeting (AGM) with total contributions of \$35,000. Calculate strata lot 1’s share using this formula:

$$\frac{752}{5,000} \times \$35,000 = \$5,264$$

If the bylaws require fees to be paid monthly, and the payment schedule has equal payments, the strata fee for strata lot 1 would be \$5,264 / 12 = \$438.67 per month.

Strata sections

Some stratas have bylaws that create sections. For example, a strata corporation might have bylaws that create Section 1 (Residential Section), and Section 2 (Commercial Section). Each section has a budget setting out contributions to its operating fund and CRF. Here’s an example of a Schedule of Unit Entitlement where the residential section has 4 lots and the commercial section has 2 lots:

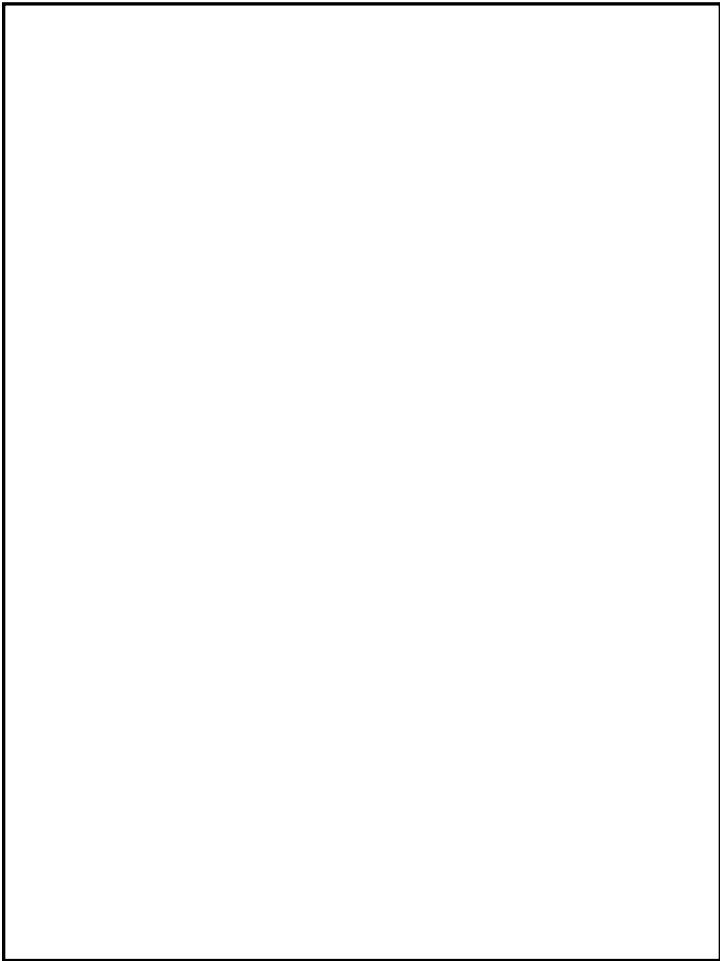
Lot	U. E.	Section 1	Section 2
1	752	752	
2	595	595	
3	640	640	
4	764	764	
5	1,074		1,074
6	1,175		1,175
Total U. E.	5,000	2,751	2,249

Strata Property Act section 195 sets out a similar formula for a section to calculate contributions for the lots in their section. In this example, the residential section held an AGM and passed a 12-month budget with total contributions of \$4,200 for the expenses that relate only to the residential section. Calculate strata lot 1’s share using this formula:

$$\frac{752}{2,751} \times \$4,200 = \$1,148.09 (\$95.67/\text{month})$$

Each month, strata lot 1 pays \$438.67 to the strata corporation and \$95.67 to the residential section.

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How to Calculate Strata Fees

How is Unit Entitlement determined?

The *Strata Property Act* sets out how unit entitlement is determined. For residential strata lots in strata plans filed after July 1, 2000 it is usually either:

- the habitable area, in square metres, of the strata lot, as determined by a BC land surveyor, rounded to the nearest whole number, or
- a whole number that is the same for all of the residential strata lots.

See *Strata Property Act* [section 246](#) for complete details including how unit entitlement is determined for bare land strata lots, non-residential strata lots, and when approval of the Superintendent of Real Estate is required.

Can unit entitlement be changed?

If there are errors in the schedule, an owner or the strata corporation may apply to the BC Supreme Court for an order that a Schedule of Unit Entitlement be amended. *Strata Property Act* [sections 246 \(7\) and \(8\)](#) set out the types of errors the court may consider and what orders the court can make.

Can strata fees be calculated using a different formula?

Per *Strata Property Act* [section 100](#) the strata corporation could pass a resolution to agree to use a different formula to calculate strata fees. This requires a unanimous vote at an annual general meeting (AGM) or special general meeting (SGM). For most stratas it's simply not possible since every owner in the strata would have to vote in favour. If passed, the change doesn't come into effect until a copy of the resolution and a Certificate of Strata Corporation (Form E) is filed at the Land Title Office stating that the resolution has been passed by a unanimous vote.

This change could be revoked or changed in the future by passing another resolution by unanimous vote and completing the filing requirements at the Land Title Office.

Common reasons for errors when calculating fees

The most common reason for errors when calculating strata fees is not using the correct unit entitlement. The proposed unit entitlement in a developer's disclosure statement is estimated. These numbers often change by the time the building is constructed. Another common mistake is using a list typed up by a previous council. These often contain errors. Strata councils and managers must use the values shown in the Schedule of Unit Entitlement filed at the Land Title Office.

Each year when preparing the budget and schedule of fees for the AGM notice package, check the unit entitlement values in the Schedule of Unit Entitlement. Then, ensure the correct formula is used for the calculations. Don't add a percentage to last year's fees as this will result in errors which will compound over the years.

Ordering documents from the Land Title Office

If the strata plan was filed before July 1, 2000 the Schedule of Unit Entitlement is included in the strata plan document. If the strata plan was filed on or after July 1, 2000 it is a separate document called a Form V: Schedule of Unit Entitlement.

You can purchase a copy of the strata plan and/or Form V from the [Land Title Office](#). You can also ask for a copy of the General Index to see if any resolutions and Form E have been filed setting out a different basis for the calculation. [V](#)

See page 7 of VISOA's [August 2022 Bulletin](#) to learn how to use a [MyLTSA Explorer](#) account to purchase documents from the Land Title Office.

You Asked

Q: Lot 1 of our duplex strata has two owners and Lot 2 has one owner. What's the quorum for meetings?

A: You haven't amended the Standard Bylaws so [Standard Bylaw 9\(2\)](#) applies to your strata. It says, "If the strata plan has fewer than 4 strata lots or the strata corporation has fewer than 4 owners, all the owners are on the council." The assignment is automatic. There's no requirement to hold an election at an AGM.

All 3 owners are on the council, however, there are only 2 eligible voters. [Section 29\(4\)](#) of the Act says "If all the owners are on council, each strata lot has one vote at council meetings."

[Standard Bylaw 16\(1\)](#) says the quorum is 2 if the council consists of 2, 3, or 4 members. For your strata, a council member from each strata lot would have to be in attendance at the council meeting to meet quorum.

Quorum for general meetings is explained in [section 48](#) of the *Strata Property Act* which says, "Subject to the bylaws, a quorum for an annual or special general meeting is... (b) if there are fewer than 4 strata lots or fewer than 4 owners, eligible voters holding 2/3 of the

strata corporation's votes, present in person or by proxy." In a duplex, 2/3 of 2 strata lots equals 1.3. This means that quorum for an AGM or SGM is 2 eligible voters.


This raises another question. What happens if the owner(s) of one of the strata lots is unwilling to attend meetings? Neither council meetings, nor general meetings would be able to proceed without quorum. The strata corporation would be unable to pass a budget, make repairs, pay insurance, or conduct other business.

Q: The Form B I received before I purchased my condo, says my unit has two parking stalls. After I moved in, I found out I only get one stall. Can I get compensation since the Form B was wrong?

A: First, check your strata plan and filings at the Land Title Office to see if the parking stalls are designated as limited common property (LCP). If there are two stalls designated as LCP for the exclusive use of your strata lot, someone may be parking in one of your stalls. If the previous owner made a private arrangement to allow someone to park in your stall, you may want to seek legal advice to determine who has the right to use it. Legal advice can also be helpful when the owner developer created long term leases or licences for parking stalls.

Otherwise, [section 76](#) of the *Strata Property Act* allows the council to assign common property stalls for short-term exclusive use of up to one year. Councils can renew or reassign the stalls each year. Check your bylaws. If your strata has extra parking stalls, it might be possible to use or rent a second stall. There might be a waiting list.

After checking the strata plan, leases, and bylaws, if you still think you've suffered a loss from an error on a [Form B](#), you should get legal advice. A claim for damages due an error on a Form B must be filed in the BC Supreme Court. Alternatively you might seek an order to be provided a second stall (if possible).

[Section 59](#) of the *Act* says, "(5) The information... disclosed in a certificate [Form B] is binding on the strata corporation in its dealings with a person who relied on the certificate and acted reasonably in doing so. (6) On application by the strata corporation, by an owner or by a person who is affected by a certificate, the Supreme Court may make any order it considers just in the circumstances to give effect to or relieve the strata corporation from some or all of the consequences of an inaccurate certificate." 

VISOA members may submit questions to the [Strata Support Team](#).

■ New Legislation Makes it Easier to Install Electric Vehicle Charging in Stratas

by Wendy Wall

Passed on April 26, 2023, [Bill 22 - The Strata Property Amendment Act, 2023](#) made significant changes and additions to the *Strata Property Act* (Act) that make it easier for strata corporations and owners to install electric vehicle charging infrastructure and charging stations in strata properties. This has been expected since November 2020, when a mandate letter to the Minister Responsible for Housing included a directive “to bring in right-to-charge legislation that will enable installation of electric vehicle charging infrastructure in more strata and apartment buildings”.

The new legislation addresses many of the barriers that strata owners and corporations have faced in recent years. Here, we summarize the changes to the Act starting with the changes that will become effective in the coming weeks* (upon Royal Assent). The remaining changes become effective when regulations are created.

Changes to the *Strata Property Act* upon Royal Assent*

New definitions

Three definitions have been added to [section 1](#) of the Act including a definition of “EV charging infrastructure”. Rebate programs, electrical engineers, and contractors generally define infrastructure as all wiring and equipment up to the point of a parking stall such as electrical panels, meters, conduit, energy management systems, and data communications systems. Electrical vehicle supply equipment (EVSE), commonly called a charging station, is attached at that point but is generally considered a separate piece of equipment, not part of the infrastructure.

However, the definition in the Act doesn’t differentiate between infrastructure and EVSE. The Act says “EV charging infrastructure means equipment that is capable of supplying electricity to charge the battery of an electric vehicle.” This conflict in terminology will likely cause some confusion for councils, engineers, and contractors when preparing EV Ready Plans and project quotes that meet the requirements of the [CleanBC - Go Electric EV Charger Rebate Program](#). Councils will have to be very careful when using the word “infrastructure” in resolutions to approve funding for projects. In most projects, the owners want the strata corporation to pay for infrastructure (CleanBC’s definition) and individual owners to pay for EVSE. To avoid misunderstandings, it may be prudent when writing resolutions to clarify whether EVSE is or isn’t included in the “infrastructure” project and funding that owners are voting to approve.

Change in use or appearance of common property

Under [section 71](#) of the Act, a 3/4 vote is required to approve a “significant change in use or appearance of common property” (including limited common property). The voting threshold has been lowered to a majority vote if the change “is related to the installation of EV charging infrastructure or the management of electricity used by EV charging infrastructure”.

Expenditures from the contingency reserve fund

It should now be easier to get owner approval for funding to obtain an EV Ready Plan or similar report, as well as the cost of installing EV charging infrastructure, including EVSE. The voting threshold in [section 96](#) of the Act has been lowered from 3/4 vote to majority vote to approve expenditures from the CRF if the expense is:

- related to the installation of EV charging infrastructure or the management of electricity used by EV charging infrastructure, or
- necessary to obtain a report respecting the installation or operation of EV charging infrastructure or the management of electricity used by EV charging infrastructure

Personal property owned by the strata

Personal property is something that is owned and is “movable”, unlike real property or real estate which is immovable. [Section 82](#) of the Act allows the strata to acquire personal property with a market value of up to \$1,000 (or the amount in the bylaws). Any acquisition of a higher value must be approved by a 3/4 vote.

The voting threshold has been lowered from 3/4 vote to majority vote approval for the strata corporation to acquire or dispose of personal property “for a purpose related to the installation, operation, maintenance or repair of EV charging infrastructure, or the management of electricity used by EV charging infrastructure”. An example of personal property would be a charging station owned by the strata corporation.

Changes effective when regulations are created

Electrical planning report

A new section of the Act, 94.1, will require strata corporations to obtain an “electrical planning report”.

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New Legislation Makes it Easier to Install Electric Vehicle Charging in Stratas

The intention is that the report will provide information to help stratas understand their electrical capacity, then plan for current and future needs. The owners may wish to convert common heating systems and air make-up units or other systems from fuel to electricity, allow installation of heat pumps in suites, and install EV charging infrastructure etc. The report will be an important planning tool.

Regulations will be created setting out what information must be in the electrical planning report, the due date, and who is qualified to write it. It is not yet known whether some stratas will be exempt from the requirement to obtain a report. For example, strata corporations of fewer than 5 strata lots are not required to obtain a depreciation report.

Amendments to section 92 of the Act, and further amendments to section 96, will allow the cost of obtaining an electrical planning report to be paid from either the operating fund, or the CRF by majority vote.

The strata will be required to keep copies of all electrical planning reports and any other reports regarding the installation or operation of EV charging infrastructure.

[Section 35](#) of the Act will be updated accordingly.

Owner requests for alterations

A new section of the Act called “Alterations to Common Property to Install EV Charging Infrastructure for Owner” will be added to the Act. Notably it says “owner”, not tenant or resident. There are 3 sections.

Section 90.1: An owner will be able to request that the strata corporation approve their proposed “alterations” to common property (including limited common property) “that are necessary for the purposes of installing EV charging infrastructure for use at a parking stall”. Examples of alterations could be adding an electrical panel or meter in a common property electrical room, coring through concrete, and running conduit and wiring through a parking area. Regulations will set out when this “right” goes into effect and what information the owner must include in their request.

Section 90.2: This section sets out conditions and criteria that a council may consider when reviewing an owner’s request. For example, the council will be able to consider the current capacity of the strata’s electrical system and anticipated future demands.

The rights of the owner will be significant. If certain conditions are met, the strata will not be able to unreasonably refuse to approve the owner’s request, but may require the owner to agree in writing to conditions. These conditions could include the strata’s approval of the infrastructure, contractors, and materials. The legislation also recognizes that circumstances may change after an owner has installed infrastructure. It will allow the strata to require the owner to modify or replace the infrastructure in the event that the strata corporation installs other EV charging infrastructure for the benefit of the owners. For example, if the strata corporation later decides to install a networked, load-managed EV charging system, it’s likely that the owner’s previous installation will be incompatible. The owner could be required to replace their charging station with a compatible model.

Section 90.3: This will give the strata corporation an option to take control of the project. If the owner’s request is approved, council will be able to allow the owner to make the alteration, or the strata may make the alteration and require the owner to pay for it. For example, many stratas will want to hire their usual contractors to perform work in common property electrical rooms. This seems prudent to ensure safety, consistency, compliance with the Electrical Code, and to avoid potential insurance issues.

The strata may require the owner to pay the anticipated costs up-front and pay additional expenses, if any. The strata will be required to pay any excess amount back to the owner.

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Common property parking stalls

Under [section 76](#) of the Act, common property stalls (that have not been designated as limited common property for the exclusive use of a strata lot) can only be assigned to an owner or tenant for short-term exclusive use of up to one year. Previously, a person wishing to install a charging station in a stall assigned to them had no assurance that they would be assigned the same stall in coming years.

Section 76 will be amended so that short-term exclusive use of parking stalls can be granted for a longer period of time for “a prescribed class of parking stalls”. When regulations are created, the “prescribed class” will likely include stalls equipped with EV charging stations. It would be practical for the strata to be able to assign a stall for a longer period of time when an owner requests permission to install a charging station in their assigned parking stall. New regulations will set out what a “longer period” means.

The road forward

The changes to the *Strata Property Act* are not just about electric vehicles. British Columbians must meet their Paris greenhouse gas emissions reduction targets for 2030, and reach net zero by 2050. To learn how BC aims to achieve these targets, see the [CleanBC Roadmap](#), [Climate Preparedness and Adaptation Strategy](#), and [Existing Building Renewal Strategy](#). For example, the *Energy Efficiency Act* is expected to be amended soon to require all new equipment sold for space and water heating to be at least 100% efficient. Changes to the BC Building Code are also expected to set efficiency standards for new and existing buildings.

The changes to the *Strata Property Act*, that will become effective in the coming weeks, will make it easier for strata corporations to approve funding for EV charging projects, obtain an EV Ready Plan, and take advantage of CleanBC rebate programs. Strata corporations will be better prepared for 2035 when 100% of all new light-duty vehicle sales in BC will be zero-emission vehicles.

Other changes to the Act will follow. Once regulations are created and in effect, stratas will not be able to unreasonably refuse owners’ requests to install charging stations on common property (including limited common property). Also, when regulations are created, most strata corporations will be required to obtain electrical planning reports. These reports encourage a planned approach to prepare for the future electrification of building systems to reduce emissions, use clean energy, and be more energy efficient. **V**

Send EV charging questions to: EVcharging@visoa.bc.ca

■ President's Message

Homes for People

The BC Government announced the [Homes for People](#) plan on April 3, 2023. It's an ambitious, multifaceted plan to increase the number of social housing units and rooms on campuses, and revitalize cooperative housing and aging BC Housing units. It promises to protect affordable rental units, speed up resolution of disputes at the Residential Tenancy Branch, and provide forgivable loans to homeowners to build secondary suites for below-market rentals. It also aims to increase housing and services to support people experiencing homelessness, and partner with Indigenous Peoples to build more housing.

Rental units in stratas

The plan projects a gain of 2,000 rental units in BC as a result of the [changes to the Strata Property Act](#) in November, 2022 that now prohibit strata corporations from banning or restricting rentals. The number of vacant units available to rent is likely lower. Many owners have no intention of renting out their strata lot. They live in their unit for a short time each year and/or use it for short-term accommodations.

Some strata owners feel that their right to make their own democratic decisions was sacrificed for a relatively small gain in BC's housing goals. If 2,000 strata lots were opened up for long-term rentals, that is just 1.75% of the housing plan's goal of creating 114,000 new housing units.

Homes for people, not speculators?

To encourage homes for people, not speculators, the plan includes expanding the Speculation and Vacancy Tax to additional areas, creating a "flipping tax" to discourage short-term speculation, and strengthening enforcement of short-term rentals (short-term accommodations) by establishing measures to improve compliance with municipal bylaws.

Many see the recent changes to the *Strata Property Act* incongruous with the plan's goal of creating a housing market for people not speculators. Strata units that were subject to rental restriction bylaws were generally not attractive to speculators. Now first-time homebuyers and households that are downsizing are competing with speculators when these units are listed for sale. Speculators now have a greater chance of gaining a controlling interest in a strata and forcing it into a wind-up. After redevelopment the strata units are generally smaller and more expensive. The effort to achieve the goal of increasing the supply of affordable homes will likely be negated by the loss of less expensive units.

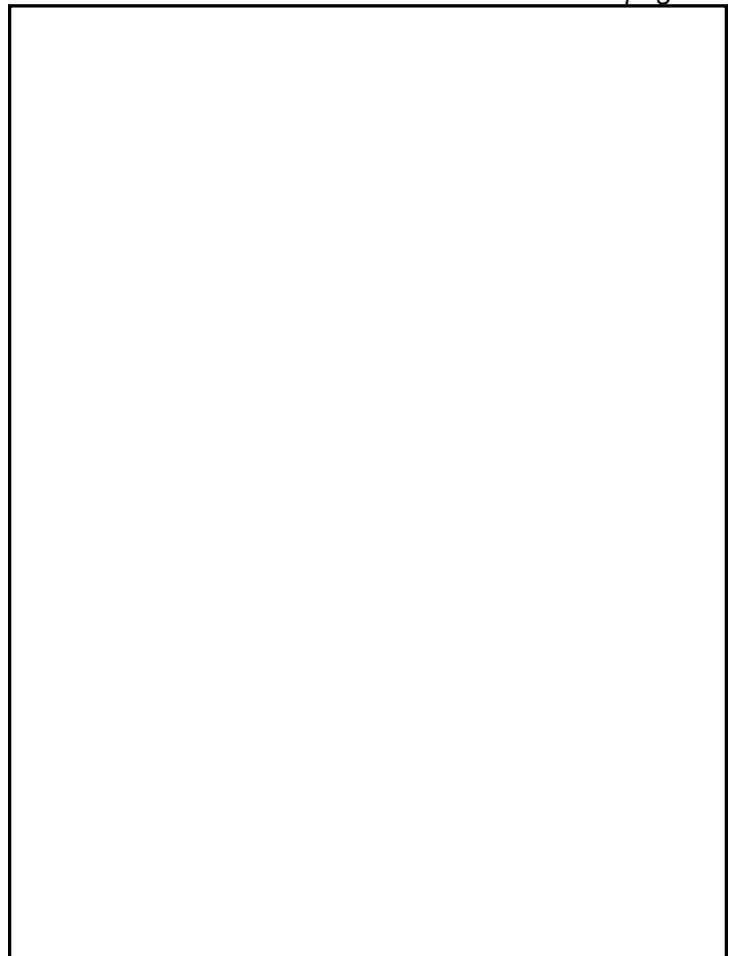
Missing middle housing

The Homes for People plan recognizes that single-family homes are out of reach for many people. It promises to deliver more middle-income, small-scale, multi-unit housing that people can afford, including townhomes, duplexes, and triplexes. Legislation is expected this fall which will allow up to 4 units on a traditional single-family detached lot, with additional density permitted in areas well-served by transit. On the one hand, reducing development costs by streamlining the permitting process, changing regulations and zoning, and eliminating some red tape for developers, sounds like a positive step forward. However, a few thoughts come to mind.

In 2020, 54% of all strata corporations in BC were 2-4 units in size. This percentage will increase significantly as small stratas pop up in single-family neighbourhoods across BC.

Small is beautiful?

Small isn't necessarily beautiful. In a duplex, a unanimous
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vote is always required to pass majority or 3/4 vote resolutions. When duplex owners disagree (which is frequent), it's a mano-a-mano battle. It can get ugly, often with legal action dragging out for years. In many cases, the only resolution is for one owner to sell. Life can be just as difficult in a 3-unit strata where a unanimous vote is required to pass a 3/4 vote resolution.

Much of the conflict stems from small stratas not operating in compliance with the *Strata Property Act*. Many owners don't realize they live in a strata, or they have been told that the law doesn't apply to small stratas. This misconception must be corrected. Whether 2 units or 200 units, every strata must follow the Act including holding an annual general meeting and approving a budget. Watch out for listings that say "no strata fees". Every strata has strata fees. At the very least, every strata pays for insurance, and owners must make contributions to the contingency reserve fund.

The role of the owner developer

Who will build these small, multi-unit stratas? Developers have already stated that small-scale projects of 2-4 units aren't profitable for them. Will builders from the single-family homes market step in? Are these builders familiar with the complexities of the *Strata Property Act*?

Design choices and information set out on a strata plan are the bedrock of these tiny communities. Any poor decisions made in the planning and design processes, or errors made on the strata plan filed at the Land Title Office, can expose owners to ongoing conflict and dysfunction.

Additionally, the owner developer has significant responsibilities in the months after conveyance (transferring ownership) of the first strata lot. In the strata corporation's first year, the developer acts as the strata council. It takes experience to manage a strata corporation in compliance with the *Strata Property Act* and it's unlikely that a professional manager would be contracted to manage a very small strata. When the developer transfers control of the strata corporation to the council after the first annual general meeting, inexperienced strata owners may not realize that financial reports may not be in compliance, or that all required documents may not have been provided.

It would be helpful to require developers to pass a training course to confirm they understand their responsibilities under the *Strata Property Act*, before they can receive a development permit. It should also be easier for strata corporations to file claims when there are disputes with developers about a failure to comply with the *Strata Property Act*.

Quantity vs. quality (of life)

Simply building more Homes for People isn't an effective solution if the residents have poor quality of life. For most people buying a home is the biggest purchase of their lives. No one wants to live in a dysfunctional strata with constant conflict and legal battles.

Buyers need to understand that owning a strata lot doesn't bring the ownership rights that many expect. It's a shared form of ownership and, as such, individual owners don't have full control of their property. Strata living means that decisions are made by the owners collectively. There will be times when individuals won't agree with decisions about spending, repairs, or amending bylaws. Buyers must also understand that a strata corporation is managed by a council made up of volunteers.

We cannot rely on realtors and developers to provide this education to buyers. Legislation requiring that information about strata ownership be provided to every purchaser of a strata lot would be a good first step in providing much needed education.

Let's take this opportunity to ensure that Homes for People are homes that are functional and offer quality of life. [V](#)

Wendy Wall, VISOA President, president@visoa.bc.ca

VISOA

Board of Directors 2023-2024

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- Wendy Wall, President
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VISOA board members are volunteers. We are strata owners just like you and we are dedicated to helping the strata community.

Learn more about each [board member](#).

Strata Property Act

FORM B

[am. B.C. Regs. 238/2011, Schs. 2 and 3; 172/2016, s. (b); 206/2016, Sch. 1, s. 1; 6/2023, s. 6; 7/2023, Sch. 1.]

INFORMATION CERTIFICATE

(Section 59)

The Owners, Strata Plan[*the registration number of the strata plan*] certify that the information contained in this certificate with respect to Strata Lot[*strata lot number as shown on strata plan*] is correct as of the date of this certificate.

[Attach a separate sheet if the space on this form is insufficient].

- (a) Monthly strata fees payable by the owner of the strata lot described above \$.....
- (b) Any amount owing to the strata corporation by the owner of the strata lot described above (other than an amount paid into court, or to the strata corporation in trust under section 114 of the *Strata Property Act*) \$.....
- (c) Are there any agreements under which the owner of the strata lot described above takes responsibility for expenses relating to alterations to the strata lot, the common property or the common assets?
☐ no ☐ yes [*attach copy of all agreements*]
- (d) Any amount that the owner of the strata lot described above is obligated to pay in the future for a special levy that has already been approved \$.....
The payment is to be made by[*month day, year*].
- (e) Any amount by which the expenses of the strata corporation for the current fiscal year are expected to exceed the expenses budgeted for the fiscal year \$.....
- (f) Amount in the contingency reserve fund minus any expenditures which have already been approved but not yet taken from the fund..... \$.....
- (g) Are there any amendments to the bylaws that are not yet filed in the land title office?
☐ no ☐ yes [*attach copy of all amendments*]
- (h) Are there any resolutions passed by a 3/4 vote or unanimous vote that are required to be filed in the land title office but that have not yet been filed in the land title office?
☐ no ☐ yes [*attach copy of all resolutions*]
- (h.1) Are there any winding-up resolutions that have been passed?
☐ no ☐ yes [*attach copy of all resolutions*]
- (i) Has notice been given for any resolutions, requiring a 3/4 vote, 80% vote or unanimous vote or dealing with an amendment to the bylaws, that have not yet been voted on?
☐ no ☐ yes [*attach copy of all notices*]

- (j) Is the strata corporation party to any court proceeding, arbitration or tribunal proceeding, and/or are there any judgments or orders against the strata corporation?
☐ no ☐ yes *[attach details]*
- (k) Have any notices or work orders been received by the strata corporation that remain outstanding for the strata lot, the common property or the common assets?
☐ no ☐ yes *[attach copies of all notices or work orders]*
- (l) Repealed. [B.C. Reg. 6/2023, s. 6 (a).]
- (m) Are there any parking stall(s) allocated to the strata lot?
☐ no ☐ yes
- (i) *If no, complete the following by checking the correct box.*
- ☐ No parking stall is available
- ☐ No parking stall is allocated to the strata lot but parking stall(s) within common property might be available
- (ii) *If yes, complete the following by checking the correct box(es) and indicating the parking stall(s) to which the checked box(es) apply.*
- ☐ Parking stall(s) number(s) is/are part of the strata lot
- ☐ Parking stall(s) number(s) is/are separate strata lot(s) or part(s) of a strata lot *[strata lot number(s), if known, for each parking stall that is a separate strata lot or part of a separate strata lot]*
- ☐ Parking stall(s) number(s) is/are limited common property
- ☐ Parking stall(s) number(s) is/are common property
- (iii) *For each parking stall allocated to the strata lot that is common property, check the correct box and complete the required information.*
- ☐ Parking stall(s) number(s) is/are allocated with strata council approval*
- ☐ Parking stall(s) number(s) is/are allocated with strata council approval and rented at \$ per month*
- ☐ Parking stall(s) number(s) may have been allocated by owner developer assignment

Details:

.....
.....

[Provide background on the allocation of parking stalls referred to in whichever of the 3 preceding boxes have been selected and attach any applicable documents in the possession of the strata corporation.]

***Note: The allocation of a parking stall that is common property may be limited as short term exclusive use subject to section 76 of the *Strata Property Act*, or otherwise, and may therefore be subject to change in the future.**

(n) Are there any storage locker(s) allocated to the strata lot?

☐ no ☐ yes

(i) *If no, complete the following by checking the correct box.*

- ☐ No storage locker is available
- ☐ No storage locker is allocated to the strata lot but storage locker(s) within common property might be available

(ii) *If yes, complete the following by checking the correct box(es) and indicating the storage locker(s) to which the checked box(es) apply.*

- ☐ Storage locker(s) number(s) is/are part of the strata lot
- ☐ Storage locker(s) number(s) is/are separate strata lot(s) or part(s) of a separate strata lot *[strata lot number(s), if known, for each locker that is a separate strata lot or part of a separate strata lot]*
- ☐ Storage locker(s) number(s) is/are limited common property
- ☐ Storage locker(s) number(s) is/are common property

(iii) *For each storage locker allocated to the strata lot that is common property, check the correct box and complete the required information.*

- ☐ Storage locker(s) number(s) is/are allocated with strata council approval*
- ☐ Storage locker(s) number(s) is/are allocated with strata council approval and rented at \$ per month*
- ☐ Storage locker(s) number(s) may have been allocated by owner developer assignment

Details:

.....
.....

[Provide background on the allocation of storage lockers referred to in whichever of the 3 preceding boxes have been selected and attach any applicable documents in the possession of the strata corporation.]

***Note: The allocation of a storage locker that is common property may be limited as short term exclusive use subject to section 76 of the *Strata Property Act*, or otherwise, and may therefore be subject to change in the future.**

- (o) a summary of the strata corporation's insurance coverage

[Provide a summary of the insurance coverage on a separate sheet or sheets.]

Required Attachments

In addition to attachments mentioned above, section 59 (4) of the *Strata Property Act* requires that copies of the following must be attached to this Information Certificate:

- ☐ The rules of the strata corporation;
- ☐ The current budget of the strata corporation;
- ☐ The most recent depreciation report, if any, obtained by the strata corporation under section 94.

Date: *[month day, year]*.

.....
Signature of Council Member

.....
Signature of Second Council Member (not required if council consists of only one member)

OR

.....
Signature of Strata Manager, if authorized by strata corporation