

Advisory

Amendments to the *Strata Property Act*

Date: November 28, 2022
Distribution: Real estate licensees
Advisory Number: 22-047

PURPOSE

On November 21, 2022, the Office of the Premier announced changes to the *Strata Property Act* (“SPA”) impacting strata properties in British Columbia. This communication is intended to inform real estate licensees and other interested parties of what these recent changes mean in relation to:

- Banning of strata rental restriction bylaws;
- Limiting age-restriction bylaws in strata housing so that the only permitted age restriction is 55 and over; and
- Making electronic meetings a permanent option for strata corporations.

Other amendments to SPA include repealing the requirement for an owner developer to file a rental disclosure statement (Form J) to explain strata rental rights, expanded requirements for a notice of an annual or special general meeting of a strata corporation, and repealing the requirement for an information certificate to include the number of rented strata lots in a strata plan.

These legislative changes came into effect on November 24, 2022 and apply to both new and existing strata bylaws.

IMPACT OF CHANGES ON LICENSEES

As a strata management services licensee, you should:	<ul style="list-style-type: none">• Advise your strata corporation clients that SPA has been amended;• Review the updated requirements in section 45(3) of SPA if preparing a notice of an annual or special general meeting of a strata corporation; and• Seek instructions from your client in relation to whether amendments to the strata corporation’s bylaws are required to remove any unenforceable bylaws or any bylaws that contravene SPA.
As a trading services licensee, you should:	<ul style="list-style-type: none">• Advise your clients, where relevant, that SPA has been amended;

	<ul style="list-style-type: none"> Review strata bylaws (for re-sale strata lots) and/or consumer disclosure statements (for pre-sale strata lots/strata lots purchased from a developer) and advise your clients to seek legal advice if they contain restrictions that are no longer compliant with SPA; and If you are currently working with a client that is under contract to purchase a rental or age restricted property, advise them that SPA has been amended and that they may wish to seek legal advice.
As a rental property management services licensee, you should:	<ul style="list-style-type: none"> Advise your clients that SPA has been amended; and Ensure rental agreements that you manage on behalf of your clients comply with the amended legislation.

ADDITIONAL INFORMATION

To learn more, please refer to:

- Government news release: [New premier delivers action to expand housing supply within first days | BC Gov News](#);
- Ministry of Attorney General and Housing [website](#), which includes an optional email subscription service to keep informed of any upcoming changes to strata legislation; or
- [BCFSA's Advisory](#) on amendments to [REDMA Policy Statements 1](#) and [2](#).

If you have questions about this Advisory, contact BCFSA's [practice standards advisors](#).