



BULLETIN

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



AUGUST 2025

Vancouver Island Strata Owners Association

VISOA Bulletin

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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: Hill Rise strata, located on Cordova Bay Road, has 20 beautiful townhomes close to the amenities of Mattick's Farm. - E. Willing

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.

■ Doorbell Cameras & Video Surveillance by Owners

by Shawn M. Smith

Video surveillance can be a controversial topic, especially within strata corporations. It often involves a struggle between privacy rights and a desire for increased security (or at least a sense of it). It is further complicated by the division between strata corporation surveillance and owner-operated surveillance (in the form of cameras, doorbell cameras, and even dashboard cameras in vehicles).

The authorization, installation and operation of both types of systems involve the consideration and application of principles from both the *Strata Property Act* (SPA) and the *Personal Information Protection Act* (PIPA). This article will focus on how those are applied in the context of owner-operated surveillance.

Surveillance by strata owners

The ability of owners to operate video surveillance is not always clear. The first consideration that arises is whether those systems (like a strata corporation

system) are subject to compliance with PIPA. The Office of the Information and Privacy Commissioner which has jurisdiction over PIPA has yet to rule (or even comment) on it.

There are a handful of Civil Resolution Tribunal (CRT) decisions which held that owner-operated systems are subject to PIPA in the same way that strata operated systems are; the logical extension being that owner systems must be authorized by way of a bylaw. If they are not, the strata corporation cannot permit them. See *Parnell v. The Owners, Strata Plan VR2451*, 2018 BCCRT 7; *Herr v. The Owners, Strata Plan KAS 1824*, 2020 BCCRT 496; and *Teh v. The Owners, Strata Plan 202*, 2021 BCCRT 180.

The issue of whether owners can be permitted to operate their own surveillance was most recently considered by the CRT in *Hudson v. The Owners, Strata Plan VR 880*, 2025 BCCRT 26.

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Doorbell Cameras & Video Surveillance by Owners

From *Hudson*:

41. Previous CRT decisions are not binding on me. Specifically, I do not agree that a strata corporation must have a bylaw authorizing it to install cameras because the PIPA does not expressly say that. Rather, under PIPA section 10(1) a strata corporation must disclose, verbally or in writing, the purposes for the collection of personal information before it collects it. Such disclosure can be through a bylaw, or a policy as was the case in *Shoal Point Strata Council (Re), 2009 CanLII 67292 (BC IPC)*...

43. Here, there is no bylaw that addresses the collection of personal information either by the strata or by an owner. So, based on the PIPA section 10(1) requirements, I find the strata may not approve an owner's request to install a camera inside a strata lot, such as in a carport, if the camera is directed to common property and may not approve the installation of cameras on common property, unless the strata complies with the

PIPA. The strata suggests a bylaw amendment is appropriate, but I leave it to the strata to determine how best to consider allowing camera installations on common property if that is what it chooses to do.

However, a different view was taken by the CRT in *The Owners, Strata Plan KAS 1215 v. Foote, 2021 BCCRT 366* where it held that the provisions of PIPA "require a strata corporation to have a bylaw authorizing the installation of surveillance equipment and disclose its existence and purpose to those affected by it. These provisions apply to the strata **and not individual owners.**" (emphasis added). The decision in *Foote* suggests that PIPA compliance is not an issue with respect to owner-operated systems.

PIPA applies to organizations

A full analysis of PIPA (which none of the decisions, including *Foote*, contain) would appear to support that view. The obligations imposed by PIPA apply to an "organization's" collection, use, and disclosure of personal information.

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Doorbell Cameras & Video Surveillance by Owners

The definition of “organization” specifically excludes “an individual acting in a personal or domestic capacity”. [S.3\(2\)\(a\) of PIPA](#) provides that it does not apply to individual owners who are acting in their personal capacity and recording footage for their own “personal or domestic purposes.” Although an owner system may record portions of the common property, it is not operated by, nor is the information collected, by the strata corporation. Who controls the area under surveillance is a different question than who is collecting information.

If PIPA does not apply to owner-operated systems then a bylaw is not required to operate one. (Installation is a different matter, as discussed below). However, that does not mean that a bylaw regulating their use and requiring permission prior to installation is a bad idea.

Is surveillance an unreasonable interference?

The mere operation of video surveillance which captures activity on the common property is not

necessarily prohibited by the Standard Bylaws. Although Standard Bylaw 3(1)(c) prohibits using the common property in a way that “unreasonably interferes with the rights of other persons to use and enjoy the common property, common assets or another strata lot”, capturing activities on common property is not automatically an unreasonable interference. The common law clearly establishes different expectations of privacy depending on one’s location (i.e. inside their home or outside of it). See [Wasserman v. Hall, 2009 BCSC 1318](#) and [Aschenbrenner v. Yahemech, 2010 BCSC 905](#) as examples.

The application of bylaw 3(1)(c) was considered in *Footie*. In concluding that the existence of the cameras did not substantially and unreasonably interfere with enjoyment of the common property, the CRT said:

33. I find the kind and severity of the interference to be moderate at most. The camera overlooks common property that would be used by many individuals. These include visitors parking their

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Doorbell Cameras & Video Surveillance by Owners

cars and owners and occupants dropping off garbage or using the mail slot. These people would not necessarily be identifiable given the resolution of the camera. I do not find the filmed area to be one where a person would expect any significant privacy.

Despite that, owners are not necessarily allowed to put cameras wherever they wish. The importance of protecting the privacy rights of other owners, whether in a strata lot or outside of it, has been recognized in a number of CRT decisions. A legitimate security concern is not enough to override the privacy of others. See [Herr v. The Owners, Strata Plan KAS 1824, 2020 BCCRT 496](#).

Can the strata deny permission?

In [Thompson v. The Owners, Strata Plan EPS3097, 2023 BCCRT 1091](#), the CRT upheld the strata corporation's refusal to grant permission to an owner to install cameras where the view captured by it included other strata lot entrances. In doing so the CRT held it "was

appropriate for the strata to consider the privacy rights of other residents, including the person who complained about Mr. Thompson's doorbell camera, and balance them against Mr. Thompson's security concerns."

Similarly, in [Hayer v. The Owners, Strata Plan LMS 3812, 2020 BCCRT 1288](#), the CRT held that the strata acted reasonably in protecting the privacy of other owners' backyards and not allowing surveillance of those areas (even though they were common property).

Most recently the CRT held in [Tabet v. The Owners, Strata Plan NW1816, 2025 BCCRT 74](#) that the strata corporation was justified in refusing to approve a doorbell camera that "records both video and sound, and records people walking by in the hallway".

The strata corporation can even go so far as to prohibit surveillance from within a strata lot. See [Simpson v. The Owners, Strata Plan BCS 3591, 2022 BCCRT 317](#).

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Is installing a camera an alteration?

The other consideration with respect to owner-operated systems is whether or not approval is required under the provisions of the *Strata Property Act*. Several decisions, starting with *Parnell*, have held that installing cameras amounts to an alteration of common property which requires permission under Standard Bylaw 6. In *Hudson* the CRT went so far as to say that the “installation of a doorbell camera in the place of a doorbell meets the definition of “alter” since a doorbell camera is different from a doorbell because of the camera component.” The requirement for approval of the “alteration” forms the basis for the strata corporation being able to deny permission to an owner. That argument would not, of course, apply to freestanding cameras or dashboard cameras in vehicles.

However, none of those cases (including *Hudson*) considered the decision in *Allwest International Equipment Sales Co. Ltd. v. The Owners, Strata Plan LMS4591*, 2018 BCCA 187. In that case, the court

acknowledged “that immaterial changes to common property will not be “alterations”. Arguably, affixing a camera with screws to the exterior of a building is not a material change to the physical building.

Owner surveillance in bare land stratas

Owners in bare land strata corporations generally do not need to worry about obtaining permission to attach a camera to their home or to install a doorbell camera. This is because those alterations are not taking place on, or to, common property. As such, Standard Bylaw 6 would not apply. However, the strata corporation can still pass a bylaw that regulates the installation and operation of surveillance systems. Many of the same privacy concerns which arise in other strata corporations would arise in a bare land strata corporation. A bylaw which restricts surveillance to the confines of the strata lot would eliminate any concerns regarding compliance with PIPA.

A summary of case law

Despite the questions raised above, the prevailing view from the case law can be summarized as follows:

- With the exception of bare land strata lots, an owner must obtain permission to install a video surveillance system where that system is affixed to the exterior of the building (or replaces an existing component such as a doorbell)
- The strata corporation cannot give permission where it has not put in place a bylaw which satisfies the requirements of PIPA for operating such a system
- In considering whether to approve a specific installation, the strata corporation can consider the privacy of other residents and even deny approval

Considerations for bylaws

To bring clarity to the issue of owner-operated surveillance, strata corporations should pass a bylaw specific to that topic. The bylaw can either prohibit it entirely or allow it with permission. The bylaw can also:

- Identify locations cameras will not be allowed

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- Prohibit devices that have audio recording
- Set various criteria for their operation such as what areas they can capture
- Require owners to sign an alteration/indemnity agreement to deal with future repair of the system (since it is affixed to common property)
- Allow the strata corporation to revoke permission should it have concerns about the privacy of other residents

A lawyer can assist in addressing all those things and advise on compliance with PIPA where required. 

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.

■ Editor's Message

You work hard and sometimes you just want to have fun. In this issue we tried to find a balance between business and pleasure. If you're in the mood to read about legal cases, dive into the article about doorbell cameras and owner surveillance. To learn about VISOA's advocacy efforts, see Strata Owners and BC Budget 2026. And, if you just want to put up your feet and relax, check out the Strata Summer Crossword Challenge on page 30.

Don't forget to capture a photo of your strata this fall and enter our photo contest. Your strata could grace the cover of the November Bulletin. Photos from all 4 issues in 2025 will be entered into a draw on December 1, 2025.

Send an email to editor@visoa.bc.ca to submit a photo or to suggest a topic for an article. 

VISOA Bulletin and Suite of Services committees are Wendy Wall, Susan Ferster, Angus Mumby, André De Leebeeck, and John Grubb with special thanks to volunteer Janice Foley, and Advertising Coordinator Cindy Young.

■ Strata Owners and BC Budget 2026

by Wendy Wall

Each year the Province of BC holds a public consultation to hear from British Columbians about their ideas and priorities for the next provincial budget. The process is conducted by the Select Standing Committee on Finance and Government Services, a permanent parliamentary committee appointed to undertake work on behalf of the Legislative Assembly. The Committee is currently made up of MLAs from government and the official opposition.

From June 2-18, 2025, the Committee held 16 public hearings in 11 communities across BC, as well as virtually. It received 406 written submissions and heard 350 presentations. Based on the meeting transcripts, there are 5 organizations that mentioned stratas in oral presentations: the BC Real Estate Association (June 3), Strand (June 5), the Canadian Mortgage Brokers Association of British Columbia

(June 5), the Association of Interior Realtors (June 18), and VISOA (June 18).

The “Report on the Budget 2026 Consultation” was released on August 12. It provides a summary of the ideas, opinions, and concerns shared by British Columbians, as well as the Committee’s conclusions and 86 recommendations for the next provincial budget. You can access the report, meeting transcripts, and written submissions on the Legislative Assembly web page for the [Select Standing Committee on Finance and Government Services](#).

VISOA’s presentation to the budget committee

Presenters were allowed to speak about 3 topics for a total of 5 minutes. We wanted to ensure that strata owners’ voices are considered when the Province plans the 2026 provincial budget. So, we reviewed the issues strata owners raised in VISOA’s survey prior to the 2024 provincial election and chose 3 topics that could be actioned from a budget perspective. Read the full transcript of [VISOA’s presentation](#) on June 18 meeting at 1:05 pm. The following are excerpts.

1. Create a strata housing branch

The *Strata Property Act* was written in 1998. A strata housing branch could address policy changes to support small and larger stratas. For example, there are over 100 “shovel-ready” amendments drafted that have not yet been actioned. These were drafted by the BC Law Institute during a 6-year project from 2013-2019 with the involvement of numerous stakeholders and experts. With a mandate from the province and capacity in a strata housing branch, these important changes could be implemented, as well as needed amendments to support small stratas.

Homes for People is more than constructing homes. Construction is not the end. It is just the beginning. New and existing strata owners need policy support to help them succeed in a complicated legal framework of ownership that requires volunteer strata councils with busy lives to operate their stratas in an increasingly complex landscape of regulatory requirements.

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A graphic advertisement for VISOA membership. It features a dark blue background with a stylized illustration of a blue brick building with a pink awning and several people standing in front. To the left of the building, there is a green tree and a street lamp. The text is in white and yellow. At the bottom, there is a yellow button with the text 'Learn more'.

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2. Create a registry for strata corporations

Currently there is no way for provincial or local governments to track or contact strata corporations. The BC Registry includes businesses, societies and more. But not strata corporations. Societies, for example, receive important notifications through the BC Registry such as reminders for compliance with changes to the *Societies Act*. Our governments have no way to identify or contact strata corporations. For example, there are new requirements in the *Fire Safety Act* coming into force in August and no way to inform all stratas about them.

A registry could also provide data about stratas which is vital to developing effective policies and programs for energy efficiency, decarbonization, overheating, and more. Given that the BC Registry is already built, adding strata corporations as a new category could be a low-cost and achievable solution. A strata housing branch could explore Ontario's registry as an example.

3. Streamline CleanBC rebate programs

Our government is looking for efficiencies in spending and is currently reviewing our climate platform and CleanBC programming.

There are opportunities for efficiencies by creating a strata stream in the CleanBC programs instead of putting some through a stream designed for single-family homes, or a stream designed for large industrial and commercial businesses. This would provide equitable opportunities for stratas and strata owners by eliminating gaps and reducing administrative costs for delivery partners. It would also remove the expensive and complex legal barriers that stratas face due to conflicting requirements in the rebate programs and the *Strata Property Act*.

[For example, administration would be streamlined by allowing one application from a townhouse strata corporation instead of 40 individual townhome owners. Providing the rebate to the strata corporation

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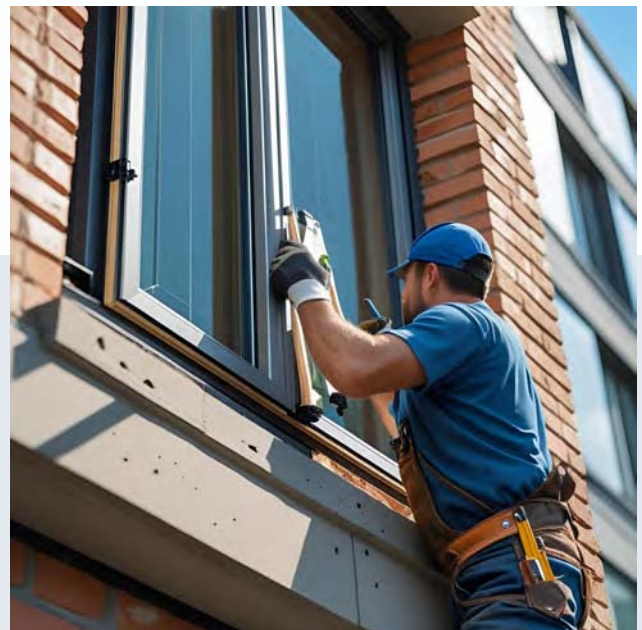
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Strata Owners and BC Budget 2026

would align with its repair and maintenance obligations under the *Strata Property Act* and simplify the resolutions to approve and pay for the project with common funds. It would eliminate the need for indemnity agreements from each owner, reduce the administrative burden on contractors, and allow the warranty to be in the name of the strata corporation.]

The Committee's report

The Committee made 86 recommendations for the next provincial budget. While none of the recommendations are strata-specific, the process was worthwhile. The Committee heard from a strata owners' association rather than only the development industry and real estate associations. Having an official written record raises awareness about the volume of strata corporations and owners, their concerns, and achievable solutions.

Environment – Energy Efficiency


Page 28: "The Vancouver Island Strata Owners Association highlighted that strata corporations [in

duplex, triplex, and townhouse stratas] currently lack the ability to apply for CleanBC programs, which is creating legal complexities for property owners and strata corporations. The organization recommended allowing for strata corporations to apply for CleanBC programs and rebates to provide equitable opportunities for strata corporations and owners."

Page 32: "The Committee would like to see the province explore enabling strata corporations to apply for programs under CleanBC. Members noted that the current application processes for strata corporations under CleanBC lack flexibility, which limits residents and strata corporations from pursuing energy efficiency improvements."

Housing – Strata Corporations

Page 56: "The Association of Interior Realtors highlighted that as strata properties become more common, it's essential that individuals can access strata documents in a timely and cost-efficient manner and recommended funding a review of the *Strata Property Act* that examines document costs, delivery timelines, and rush fees. The Vancouver Island Strata Owners Association noted that BC has approximately 34,000 strata corporations, but there is currently no way for provincial or local governments to track or contact strata corporations regarding policy or regulatory changes that would impact the strata. The organization recommended implementing a strata corporation registry or adding strata corporations to the BC Registry. They also explained that due to an increasingly complex landscape of regulatory requirements, owners and volunteer strata councils need policy support to operate. The organization recommended launching a strata housing branch of government to address policy changes and support strata corporations."

Page 57: "Regarding strata housing, the Committee discussed the possible benefits of implementing a strata corporation registry, including a government branch to support strata corporations and residents." 

VISOA thanks the Committee for accepting our request to present and we will continue to voice concerns, opinions, and suggested solutions from strata owners at every opportunity.



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■ Helping Strata Owners Age in Place

by Susan Ferster

Aging in place, adaptive home renovations, home services, living in place, independent living, growing older at home... these are terms that we are hearing more and more about each year. And with today's aging population, they are becoming more and more relevant.

Aging in place means having the support and services to continue to live in your own home or community safely and independently for as long as you wish. It can be more cost-effective than assisted living, supportive housing, long-term care, or retirement home care, especially when considering the rising costs of long-term care facilities.

There are several ways for you to stay in your home as you age. And many are available to owners of individual strata units.

Let's take a look.

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Making choices now will give you greater control over your independence, dignity, and quality of life as you age. Find more information and qualified Adaptiv Home Specialists on the [Canadian Home Builders' Association website](#).

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This rebate provides financial assistance for eligible low and moderate-income households to complete home adaptations. The program allows seniors and people with disabilities or diminished ability to gain greater independence within their homes.

Individuals who live in stratas are eligible for a rebate with a letter from the strata giving approval for the requested adaptations. All adaptations are assessed on how they address the applicant's permanent disability or loss of ability. Medical documentation may be required. Learn more about the [BC Rebate for Accessible Home Adaptations](#) (BC RAHA) and how to apply.

Home Renovation Tax Credit

The BC Budget 2026 Committee identified improving accessibility within homes as an area of priority. Committee members emphasized the benefits of supporting accessibility renovations and retrofits to enable aging in place and independent living. It recommends that the Province expand the

Home Renovation Tax Credit for Seniors and Persons with Disabilities.

Better at Home

The United Way in BC funds the [Better at Home](#) program. Not-for-profit organizations offer non-medical support such as light housekeeping, grocery shopping, friendly visits, transportation, and other services. This allows older adults to live safely and actively, while enjoying the comfort of their own homes. Services are typically provided à la carte, with no long-term commitment or contract, and funding may be provided to offset the cost.

Aging in place in BC is a growing priority, with a variety of resources and initiatives available. The [Seniors Advocate BC website](#) provides a wealth of information for seniors, their families, and caregivers about housing, income supports, safety, an assisted living directory, and more. [V](#)

Susan Ferster is a VISOA director, and a strata council member.



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■ Visit VISOA at the Everything Electric Show

It will come as no surprise that VISOA has answered many questions from strata owners and councils about electric vehicles (EVs), heat pumps, electrical planning reports, energy efficiency, and building retrofits. In 2016 we held our first presentation about installing EV charging stations in strata properties, converting to LED lighting, and a case study about the first strata on Vancouver Island to install a solar photovoltaic (PV) system for common electricity. Since then, we've developed guides and resource materials and have held numerous educational workshops and webinars. You can watch videos of these on our [YouTube channel](#).

Helping strata owners

An appreciative strata owner contacted the organizers of the Everything Electric Show to recommend VISOA. Everything Electric (formerly Fully Charged) hosts live expos in Australia and the United Kingdom showcasing electric vehicles and clean energy.

VISOA accepted their invitation to participate in the Canadian event at the Vancouver Convention Centre on September 5-7, 2025. With over 30,000 attendees expected, we'll be answering a lot of questions from strata owners! Drop by to discuss EV charging installations in stratas, low carbon fuel credits, handling requests for heat pumps, electrical planning reports, funding, rebates, voting procedures, and more.

VISOA business members Edwards Electric, HoneyBadger Charging Inc., and VT Engineering Inc. are also exhibitors. Be sure to visit their booths and learn about their services.

The expo is about more than EVs. Learn about home energy solutions such as heat pumps, solar PV, solar thermal, battery storage, and insulation.

Boating enthusiasts can visit MEVC to learn about

continued on page 16



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Visit VISOA at the Everything Electric Show

electric marine propulsion systems, NAPA to learn about repair and servicing next-gen vehicles, and the Silent Gardener to learn about the electric landscaping revolution. There's also a Kids Zone EV Learning Centre.

Ask an energy expert

Drop by the BC Hydro booth to speak to an energy expert and learn about the rebate programs available to strata corporations and owners for EV charging infrastructure, charging stations, heat pumps, and building retrofits. Then cross the aisle to the VISOA booth to learn the steps to take under the *Strata Property Act* and move forward with your project.

Speakers and expert panels

At the GIGA Theatre there will be more than 30 live sessions with panels of experts. Topics range from Canada's clean energy future, powering economic development, electrical grid capacity, low-impact living, and leadership in trades, technology, and

sustainability. Organizations represented include the Zero Emissions Innovation Centre (ZEIC - Strata Energy Advisor program), BC Sustainable Energy Association (BCSEA), Clean Energy Canada, PlugIn BC, Community Energy Association, BC Hydro, Electric Mobility Canada, Canadian Home Builders' Association (CHBA), Victoria Electric Vehicle Association, Canadian Association of Consulting Energy Advisors, and British Columbia Institute of Technology (BCIT). Many of these organizations have booths, as do organizations such as Technical Safety BC, Vancouver Community College, and the University of British Columbia (UBC).

Test drive an EV

With hundreds of EVs on display throughout the expo, you can explore the latest models. Exhibitors include Audi, BMW, Cadillac, Chevrolet, Edison Motors, Ford, GMC, Hyundai, Kia, Lexus, Lucid, Mini, Nissan, Peterbilt, Rivian, Rizon, Rolls-Royce, Subaru, Tesla, Toyota, Volkswagen, and Volvo.

continued on page 17



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Visit VISOA at the Everything Electric Show

Ready to get behind the wheel? Many manufacturers are offering test drives. These opportunities are on a first-come, first-served basis and need to be booked directly with the manufacturers at the event. Each test drive lasts 15-20 minutes and manufacturers will be available to answer your questions before, during, and after your drive.

Go big

If you're curious about the future of medium and heavy-duty electric vehicles, visit the commercial vehicle zone to see innovations in buses for public transportation, commercial trucks, and agricultural equipment. Can we look forward to quieter waste-removal trucks in the future? With all those online shoppers at your strata, check out "last-mile solutions" for deliveries.

Go small

Visit the Micro Mobility Test Track where you can test out "micro-mobility" options such as the latest e-bikes, e-scooters, and e-skateboards. You might even see

golf carts, electric unicycles, and electric ride-on luggage!

Get tickets

The Everything Electric Show is a great opportunity to learn about clean energy and explore the latest innovations in strata and home energy solutions, sustainable living practices, and zero-carbon solutions.

Visit VISOA's website and enter to win a free weekend pass. Or use the discount code EXHIBITOR20 for 20% off the regular ticket price. Tickets for children 15 and under are free. Learn more about the [Everything Electric Show](#).

VISOA resources

Visit VISOA's [Resource Centre](#) for articles including Energy retrofit rebates for stratas, Electric vehicle charging in stratas, Handling requests for heat pumps and air conditioners, and About electrical planning reports. [V](#)

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We offer à la carte consulting services from fiscal year planning and AGM support to governance guidance and first-time strata setup. Our services are flexible, practical, and cost-effective. We can help you move forward with confidence and competence. The goal is simple: smarter governance, better decisions, stronger communities.

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You Asked

Q: I requested copies of correspondence between the strata and an owner. Can council redact sections?

A: Many councils and managers are cautious and think they are protecting an owner's privacy by redacting (blacking out) information in documents. However, this is not permitted. Since disclosure of correspondence is expressly authorized by *Strata Property Act* (SPA) s. 36, there is no authority under the *Personal Information Protection Act* (PIPA) to redact personal information contained in correspondence. The PIPA authorizes this disclosure in s. 18(1)(o).

There are numerous [Civil Resolution Tribunal decisions](#) on this topic. The copies of records listed in SPA s. 35 must not be redacted to remove any personal information. Upon receiving a request from an owner, the strata must provide the copies within 2 weeks and may charge up to \$0.25 per page.

Q: Our bank is asking for the strata's articles of incorporation. Where would we find these?

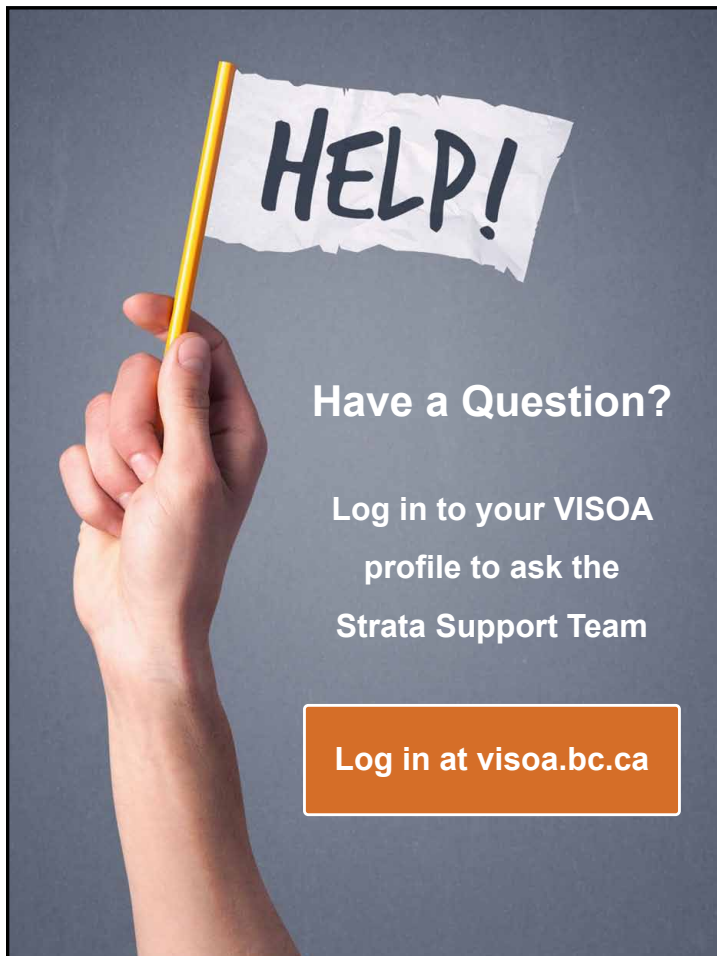
A: Strata corporations don't have articles of incorporation. Staff at financial institutions may not realize this. They are likely trying to comply with federal regulations for financial institutions. From time to time, a bank might be required to verify information about businesses and organizations they provide services to.

Some banks don't have a category in their systems for strata corporations. The strata's account might have been set up under the corporations category when the account was opened. If your account manager is not from BC, you could tell them that these are called condo associations in other provinces. BC is the only province that calls them strata corporations. You could also provide a short explanation of the differences.

A corporation is a legal entity created under section 3 of the *BC Business Corporations Act*. That is the legislation that sets out the legal framework that governs companies in BC. A company's articles of incorporation are filed with the BC Corporate Registry. The Act requires all companies to file an annual report, changes to its directors, and any changes to the location of the company offices.

The *Business Corporations Act* does not apply to strata corporations. A strata corporation is created under section 2 of the *Strata Property Act*. This legislation sets out the legal framework that governs strata corporations in BC. Pursuant to section 2 of the *Strata Property Act*, "a strata corporation is established" when "a strata plan is deposited in a land title office". Stratas don't have articles of incorporation. The strata plan is the official document. There is no requirement and no mechanism for strata corporations to register in the BC Corporate Registry or file annual reports.

You could provide the strata plan as proof of the strata's legal entity, the annual general meeting minutes as proof of elected council members, and council meeting minutes as proof of elected officers and signatories. If the bank employee continues to insist on receiving documents that don't apply to strata corporations, you may wish to speak with the branch manager.



Have a Question?

Log in to your VISOA
profile to ask the
Strata Support Team

[Log in at visoa.bc.ca](https://visoa.bc.ca)

You Asked

Q: The yards behind each of our strata lots are limited common property. Who's responsible for cutting the grass?

A: Your strata doesn't have any amended bylaws filed at the land title office so the Standard Bylaws apply. Standard Bylaw 2 sets out an owner's responsibility for repair and maintenance. Part 2 (2) says an owner who has the use of limited common property (LCP) must repair and maintain it, except for repair and maintenance that is the responsibility of the strata corporation under these bylaws.

Standard Bylaw 8 says the strata corporation must repair and maintain LCP but the duty to repair and maintain it is restricted to repair and maintenance that in the ordinary course of events occurs less often than once a year. For example, the strata would be responsible for any work required that doesn't usually occur such as removing a dead tree or lawn remediation after pipe or foundation work.

Since lawn cutting occurs more often than once a year, it is the owner's responsibility under Standard Bylaw 2.

If the LCP lawns are small and owners don't have sufficient space to store their own lawnmowers, strata owners may wish to consider amending the bylaws so that the strata takes responsibility for lawn care. Since owners have busy schedules and varying levels of mobility, it can be a practical step for convenience, cost-effectiveness, and maintaining a consistent level of care. If the areas are fenced, the owners must allow the landscaper to access the lawn area.

Q: Our bare land strata has just a small roadway, concrete curbing, lamp posts, mailboxes, and perimeter fencing. We obtained a depreciation report in 2014. Do we have to get another one?

A: Yes. All stratas of 5 or more strata lots, including bare land stratas, must obtain a depreciation report at least once every 5 years. If your strata hasn't obtained a depreciation report since 2014, then it must obtain another one now.

With the exception of certain islands, if your strata is within the Capital Regional District, Fraser Valley Regional District, or Metro Vancouver Regional District, the deadline to obtain your next depreciation report is July 1, 2026. If your strata is outside of those districts, or is an island accessible only by air or boat, the deadline is July 1, 2027.

Under *Strata Property Act* s. 92 and 96, the cost can be paid from either the operating fund or the contingency reserve fund (CRF). The expenditure can be made from the operating fund if an allowance for the cost is included in the budget approved by a majority vote at an annual general meeting. Alternatively, voters can pass a separate resolution by a majority vote approval to pay for the cost of the report from the CRF.

You can find companies that provide depreciation reports in [VISOA's Business Directory](#).

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■ You Asked

Q: At our 4-unit strata, owners usually just agree on fees and expenditures like insurance. We've never held council meetings. Do we have to?

A: All stratas are required to comply with the *Strata Property Act*, even a strata of only 4 strata lots. From what you've described, council members were elected at the last annual general meeting but they have never held a council meeting.

The powers and duties of the strata corporation must be exercised and performed by a council. To do that, the council has to make decisions and, under Standard Bylaw 18, decisions must be made by a majority of council members present in person at a council meeting.

Small stratas often think they can hold informal discussions or agree by email. In the *Kayne* decision, the BC Supreme Court said no decision made at an informal meeting "has any validity unless and until"

it is ratified at a formal council meeting. So, even if council members meet informally from time to time, they still need to hold formal meetings in order to act on any decisions made.

A small strata might only need 3 or 4 short council meetings per year. Make all decisions at council meetings and prepare minutes of the council meetings including the outcome of any votes. The judge in the *Kayne* decision also said, "The purpose of the Act is to ensure that members of the strata corporation are informed of the decisions taken and the money spent on their behalf. It mandates no particular form in which these documents are to be kept and no particular level of detail. For example, although it requires minutes, it does not, beyond stating that the minutes include the results of any votes, set out any degree of detail that must be contained in those minutes. Minutes must contain records of decisions taken by council, but may or may not report in detail the discussions leading to those decisions."

The minutes for your strata might be short but they have to be prepared and kept for at least 6 years. They are important legal records to document the decisions made to operate and manage your strata corporation. Most prospective purchasers will request copies of the minutes. If council meetings are not held, the strata has no minutes to provide and it would be reasonable for purchasers to be wary and look elsewhere. **V**

Are you a VISOA member? Log in to your profile on our website to submit questions to the [Strata Support Team](#).



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■ Protect Your Information: Read the Fine Print

by Ryan Johnston

In 2023, Canadians spent, on average, over 6 hours per day using the internet. Are we being cyber safe or unwittingly giving away our personal and, potentially, our strata's information? How often have we downloaded an app, a convenient online tool, or signed up for an enticing "free trial" without question?

Terms of service

Nearly every website, social media site, or app asks us to agree to the terms of service, licence agreement, or privacy policy. Most people don't read them. Why? The most common reasons cited are: I don't have time, the document is too long, or the language is too confusing. Instead, we just click "I agree". We are all guilty of doing this.

What have we agreed to?

Professors at York University and the University of Connecticut conducted an experiment to see how

many students would join a fictitious social media site. When presented with an onscreen message that said, "By clicking join you agree to abide by our terms of service", about 25% of participants looked at the terms for about a minute and 100% clicked the "Join" button. If they had read the terms of service all the way through, they would have noticed that they had each agreed to give the fictitious company their first-born child.

This confirmed what scholars have learned about user behaviour: nobody reads online contracts, licence agreements, terms of service, privacy policies, and other agreements.

The fine print

If we knew what we were agreeing to, would we have agreed? Web-based services, browser extensions, mobile apps, surveys, etc may have clauses that give

continued on page 29



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Kate, Council member VIS 639



Protect Your Information: Read the Fine Print

them the right to keep our personal information, web browsing habits, even a recording of our voice. We might have unknowingly agreed to allow the company to sell that information or give it to third parties they have contracts with. We might even have agreed to give up our right to go to court if we or our strata are negatively affected by the use of that data.

What to look for

Protect your personal and strata information by reading the fine print before clicking “I agree”. If your eyes are glazing over, Ray Walsh, a data privacy advocate from ProPrivacy.com recommends some shortcuts.

Search for keywords or phrases in the document that tell you what information the app or website collects, how long it keeps the information, and if it’s shared with others. Watch out for sections that say you must “accept,” “agree”, or “authorize” something. Key phrases are “third parties”, “advertising partners”, and “affiliates.” “Retain” or “retention” can indicate how

long the company keeps the information. “Opt out” may indicate how to turn off the sale or collection of your personal information.

Check your apps

There are millions of software applications (apps) available for our smartphones, tablets, and computers. Whether it’s checking social media accounts, booking a rideshare, playing mahjong, or monitoring stocks, apps are convenient, fun, and help us manage our daily lives and strata council duties. It’s easy to download them without considering the security risks like what personal or strata information is being collected, stored, and shared.

Apps can gather enormous amounts of linked and linkable information about the billions of users that subscribe to their services. The Canadian Centre for Cybersecurity website offers tips to configure the privacy settings in the apps that you use or download and turn off unnecessary features. Ask yourself, why does the app need access to your location, contact list, camera, and microphone? Reconsider apps that require too many unnecessary permissions, and delete them. Keep apps up to date but check the privacy settings after each update to see if they have changed. Delete apps you don’t need. The average person has over 80 apps on their smartphone but only uses about 30 per month.

Before downloading an app, research the app’s developer or vendor for reviews and information on their security practices. Only download apps from trusted sources and read the user agreement to identify what metadata is collected and how it is handled. Get more information and tips at the [Canadian Centre for Cybersecurity](#).

To protect your strata, share this article with council members to help them spot apps and services that obtain permissions beyond what is required. **V**

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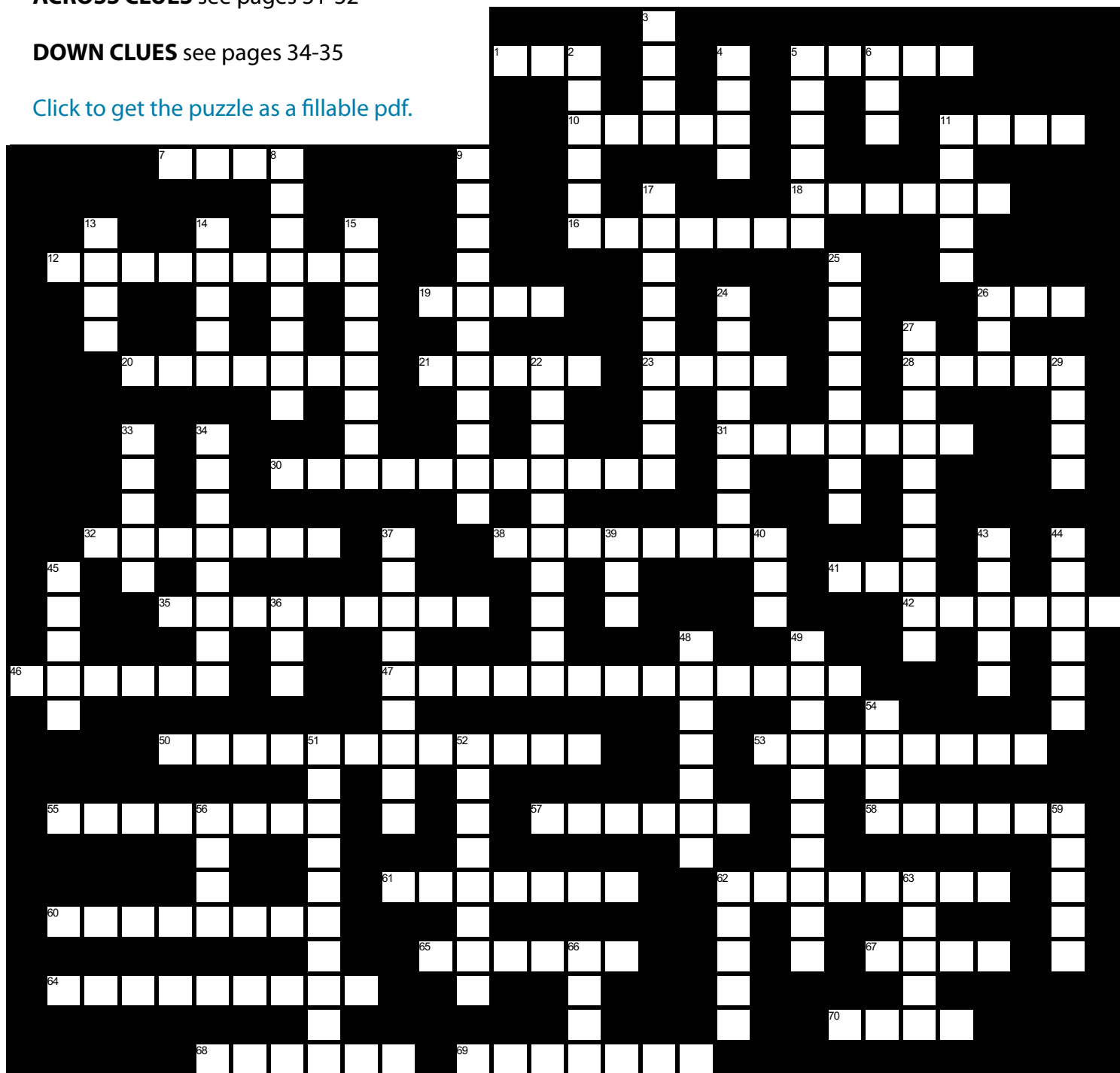
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STRATA SUMMER CROSSWORD CHALLENGE

ACROSS CLUES see pages 31-32

DOWN CLUES see pages 34-35

[Click to get the puzzle as a fillable pdf.](#)



Click these links to find answers and learn more:

• [Strata Property Act \(SPA\)](#) • [Schedule of Standard Bylaws \(SB\)](#) • [Strata Property Regulation \(Reg\)](#)

When you're finished, go to page 39 to get the answers!

(The number of letters in the answer is indicated in brackets)

1. A strata plan shows the boundaries of a strata _____. (3)

5. Reg 14.2 says "habitable area" means the area of a residential strata lot which can be lived in, but does not include patios, balconies, garages, parking stalls or storage areas other than closet _____. (5)

7. If a hearing is requested under SPA s. 34.1(1), the council must hold a council meeting to hear the applicant within _____ weeks after the request. (4)

10. Under SPA s. 90.3, a council must respond to a request to install an EV charging station within _____ months. (5)

11. Under Reg 5.11, an electrical planning report must include the current _____ demand on the electrical system. (4)

12. SPA s. 45 says the notice for an AGM must include the budget and _____ statement. (9)

16. Reg 6.2 says an applied _____ technologist is qualified to write a depreciation report. (7)

18. SPA s. 68 defines the boundary of many strata lots as _____ between the structural portion of a wall, floor or ceiling. (6)

19. Before registering a _____ against an owner's strata lot, the strata must give the owner at least 2 week's written notice demanding payment. (4)

20. Per Reg 6.10, the maximum fee that the strata may charge for a certificate of _____ is \$15. (7)

21. A _____ decision of the Civil Resolution Tribunal is binding and enforceable just like a court order. (5)

23. Reg 14.4 says unless indicated otherwise, if a strata plan includes a building, any _____ shown as a boundary of the strata lot represents a wall built from floor to ceiling. (4)

26. Reg 6.8 says the maximum rate of interest that a strata may set out in its bylaws for the late payment of strata fees is _____% per annum compounded annually. (3)

28. Under SPA s. 56, a person who may vote at an AGM or SGM, may vote in person or by _____. (5)

30. SPA s. 92 says this fund is for common expenses that usually occur less often than once a year or that do not usually occur. (11)

31. A type of common property. (7)

32. A "mini strata corporation" created by a bylaw under SPA s. 192 or 193. (7)


35. SB 25 says an AGM must be chaired by the _____. (9)

38. A voting threshold that is more than half of the votes cast. (8)


41. The annual contribution to the CRF must be at least _____% of the total amount budgeted for the contribution to the operating fund for the current fiscal year. (3)

42. Some stratas with EV charging stations are eligible for low _____ fuel credits. (6)

46. Under SPA s. 128, amended _____ have no effect until they are filed in the land title office. (6)



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ACROSS CLUES continued

47. Under SPA s. 174, a strata owner, tenant, or mortgagee may apply to the BC Supreme Court for the appointment of an _____. (13)
50. Under Reg 6.21, a strata must obtain this report at least once every 5 years. (12)
53. The SPA includes a set of bylaws called the _____ Bylaws. (8)
55. SPA s. 53 says each strata lot has one vote unless different voting rights are set out in a _____ of Voting Rights in the prescribed form. (8)
57. A petition of the owners is called a written _____ in SPA s. 43 and 46. (6)
58. The Regs include a Form K which informs a _____ that they must comply with the bylaws and rules. (6)
60. The BC Supreme Court said, in a strata corporation, "you are all in it _____." (8)
61. Under SPA s. 34.1, an owner or tenant may request a hearing at a _____ meeting. (7)
62. Under SPA s. 41, an AGM does not have to be held if all _____ voters waive, in writing, the holding of the meeting and consent, in writing, to the resolutions. (8)
64. For pre-sale units, a purchaser should carefully review the developer's disclosure _____. (9)
65. SB 3 says an owner, tenant, occupant or visitor must not use a strata lot, the common property or common assets in a way that causes a nuisance or _____ to another person. (6)
67. SPA s. 31 says each council member must act honestly and in _____ faith. (4)
68. Under SPA s. 272, a resolution must be passed by an 80% vote at an AGM or SGM to _____ a strata plan and dissolve the strata corporation. (6)
69. SPA s. 13 requires the owner developer to deliver a copy of the _____ budget to each prospective purchaser of a strata lot. (7)
70. Pricing for insurance premiums may be affected by the area's _____ of wildfires and flooding. (4)



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DOWN CLUES

2. The first strata legislation in BC in 1966 was called the Strata ____ Act. (6)

3. SB 16 says a quorum of the council is ____ if the council consists of 7 members. (4)

4. Regulation 6.9 is about ____ fees for the use of common property or common assets. (4)

5. Under the *Land Title Act* s. 220, a developer can register a statutory building ____ to impose restrictions on the size and style of homes such as those on bare land strata lots. (6)

6. The three-dimensional space above a parcel of land can be subdivided into ____ space parcels. (3)

8. Under SPA s. 125, a rule must be ____ by a resolution passed by a majority vote at the next AGM or SGM. (8)

9. SPA s. 164 deals with ____ unfairness. (11)

11. SPA s. 221 sets out the process to deposit a strata plan after each _____. (5)

13. In certain situations related to EV charging, a strata can grant permission to use a common property parking stall for up to ____ years. (4)

14. SB 7 is about permitting ____ to a strata lot. (5)

15. This usually takes place at the end of an AGM. (8)

17. SPA s. 150 requires the strata to obtain this kind of insurance. (9)

22. Under SB 6, an ____ to a strata lot requires written approval of the strata corporation. (10)

24. SPA s. 32 requires a council member to disclose any ____ of interest. (8)

25. As of December 2023, stratas of 5 or more strata lots must obtain an electrical ____ report. (9)

26. SB 19 says the council must inform owners of the minutes of all council meetings within ____ weeks of the meeting. (3)

27. SPA s. 71 generally requires a 3/4 vote approval for a significant change in use or ____ of common property. (10)

29. Reg 6.6 lists the information the budget must contain for the fiscal ____ to which the budget relates. (4)

33. The strata's property insurance must insure against major perils. Under Reg 9.1 that means the perils of fire, lightning, smoke, windstorm, hail, explosion, ____ escape, strikes, riots or civil commotion, impact by aircraft and vehicles, vandalism and malicious acts. (5)

34. Under SPA s. 149, the strata must obtain property insurance on original ____ built or installed on a strata lot. (8)

36. SPA s. 163 says an owner may ____ the strata corporation. (3)

37. This fund is used to pay common expenses that usually occur either once a year or more often than once a year. (9)

39. If an owner requests a copy of the bylaws or rules, the strata must comply with the request within ____ week. (3)

40. An affirmative or ____ vote means a vote in favour of a motion, indicating approval or agreement. (3)



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DOWN CLUES continued

43. In the Regs, this is another name for an information certificate. (5)

44. SPA s. 48 says business must not be conducted at an AGM or SGM unless a ____ is present. (6)

45. This type of plastic piping used for water lines in the 80s and 90s often needs to be replaced. (5)

48. SPA s. 31 says each council member must exercise the care, diligence and skill of a reasonably ____ person in comparable circumstances. (7)

49. SPA s. 132 says the strata may set out in its bylaws the frequency at which fines may be imposed for a ____ contravention of a bylaw or rule. SB 24 says a fine may be imposed every 7 days. (10)

51. Under SPA s. 49, a strata may provide for attendance and voting by telephone or other ____ means at an AGM or SGM. (10)

52. Since 2016 the Civil Resolution ____ has had jurisdiction over most strata claims in BC. (8)

54. SPA s. 99 sets out the formula to calculate strata fees based on ____ entitlement. (4)

56. In order for a strata to charge back costs to a strata lot, it must have the authority to do so under a valid and enforceable bylaw that creates a _____. (4)

59. Under SPA s. 191(1)(c), a strata corporation may have sections for the purpose of representing the different interests of owners of different ____ of residential strata lots. (5)

62. Reg 6.7 says within ____ weeks after the end of its fiscal year, the strata must prepare a financial statement updated to the end of the fiscal year. (5)

63. SPA s. 35 says the strata must prepare ____ of account showing money received and spent and the reason for the receipt or expenditure. (5)

66. Under Reg 7.1, the maximum amount that a strata may set out in its bylaws as a fine for the contravention of a ____ is \$50. (4)

Congratulations. You've completed the Strata Summer Crossword Challenge!

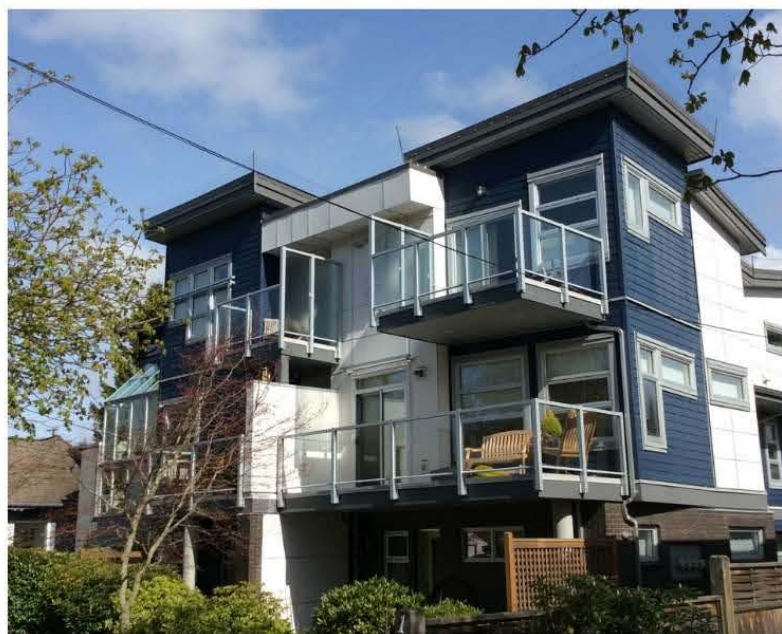


2025 Cover Photo Contest

Submit your photo of a BC strata to editor@visoa.bc.ca. Photos selected for the cover of Bulletin issues in 2025 will be entered into a draw on December 1, 2025.

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

Second prize: \$50 to the submitter.



■ President's Message

Occasionally, I hear owners opine that their strata has so many bylaws it feels oppressive. I'll venture to say there's a story behind each one. At some point in time, there was an issue and the owners wanted a bylaw to address similar situations in the future. Issues with residents speeding through the parking lot might have led to a bylaw setting a speed limit. Loud pool parties might result in a bylaw limiting the number of guests in the strata's pool area. Lack of space in the bike room might be dealt with by a bylaw that sets out a process to dispose of unclaimed bikes.

The value of good bylaws

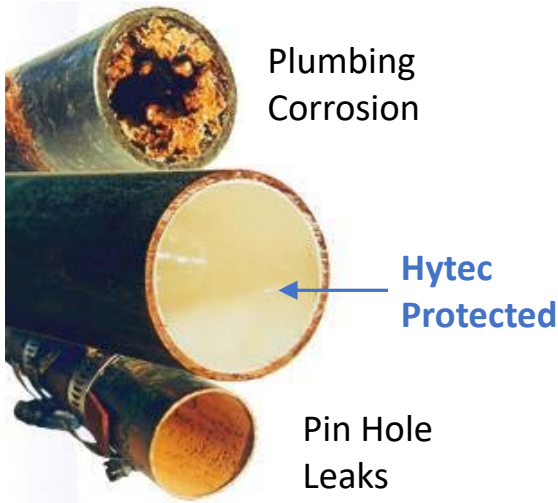
While many purchasers are swayed by a suite's granite countertops and hardwood floors, I suggest they start with a thorough read of the bylaws. I believe strongly that a solid set of clear, reasonable, well-written bylaws is worth their weight in gold, particularly if they have been reviewed by a lawyer to reflect recent court and tribunal cases. In my view, good bylaws add property value.

Given the fact that it takes a 3/4 vote approval to pass bylaws, I think it's fair to say that bylaws usually express the wishes of most of the owners in the strata. The bylaws set boundaries and expectations. They help buyers decide if this is a community they want to live in. A strata that doesn't allow flowerpots on balconies or anything but white curtains isn't the best choice for an avid gardener with a penchant for maximalist interior design. If they proceed with purchasing the strata lot, they have to take responsibility for their choice. They were aware of the bylaws.

Flouting the bylaws

When it comes right down to it, whether a strata is successful or experiencing difficulties often comes down to human behaviour. Some people think the bylaws don't apply to them and some people just aren't suited to community living as seen in the following BC Supreme Court case.

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President’s Message

In her decision in *The Owners, Strata Plan KAS 1771 v. Flaman*, 2024 BCSC 1242, the Honourable Justice Hardwick commented that “Certain individuals are not entirely well suited for living in a stratified situation wherein there are restrictions placed upon them which would likely not otherwise be imposed if they lived in a residence wherein they hold freehold title. This is, in my conclusion, one of those situations.” Individuals sometimes take matters into their own hands and address issues of conflict in a “rogue manner”. The court said, “unfortunately the conflict between interested parties has clearly “runneth over” and the matter must be adjudicated upon by this Court accordingly.”

A surefire way to create conflict in a strata is to make unauthorized alterations to a strata lot or the common property, particularly to the exterior cladding and building envelope. When Mr. Flaman was making a “clandestine” alteration to the roof late at night under the cover of darkness, surely his conscience was telling him it was wrong.

The decision said, “The installation included perforations to the building exterior which were done at approximately 9:30 pm at night. This, in my view, is consistent with a conclusion that the Flamans knew they did not have requisite approval and were trying to fly under the proverbial strata radar. This was not an emergent event such as a flood where immediate action may be required and one does not normally undertake home renovations in the dark.”

“Approval of building envelope alterations and other alterations to common property by the strata council (where the bylaws permit) and/or by percentage vote of the ownership where required pursuant to s. 71 of the SPA for “significant changes to the use or appearance of common property” are an essential requirement to ensure that a strata corporation’s structural and building envelope integrity are

not compromised, warranties are not voided, and resultant costly remediation or insurance deductibles or even more serious insurability issues are avoided... There is, quite literally, a common interest with respect to these matters.”

The bad behaviour didn’t end with unauthorized alterations. Abusive, threatening comments and making obscene gestures caused both the property manager and a contractor to quit.

The strata and the court relied on the *Strata Property Act* and the bylaws. The court found that the Flamans had a clear and persistent history of making alterations to common property without authorization, had objectively unreasonable expectations when requests for approval were submitted, and most significantly, acted unilaterally seeking approval after the fact. The court’s findings of the Flamans’ bylaw breaches is 2 pages long!

Create good bylaws

Many bylaws are practical, clarify common questions, and set out processes and procedures for fairness and consistency.

Review the bylaws from time to time to identify any that are antiquated or no longer necessary. If the current bylaws are confusing or don’t address situations that have arisen, consider proposing amendments. Work with a strata lawyer to ensure the bylaws are worded properly and don’t contravene the *Strata Property Act*, *Human Rights Code*, *Personal Information Protection Act*, or any other laws.

If you want bylaws that are fair and reasonable, do your part. Attend general meetings. Read the notice package. Participate in discussion at the meeting.

Create bylaws for the community you want to live in.

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

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STRATA SUMMER CROSSWORD CHALLENGE

ACROSS ANSWERS

- | | | |
|---------------|-------------------|---------------|
| 1. Lot | 28. Proxy | 57. Demand |
| 5. Space | 30. Contingency | 58. Tenant |
| 7. Four | 31. Limited | 60. Together |
| 10. Three | 32. Section | 61. Council |
| 11. Peak | 35. President | 62. Eligible |
| 12. Financial | 38. Majority | 64. Statement |
| 16. Science | 41. Ten | 65. Hazard |
| 18. Midway | 42. Carbon | 67. Good |
| 19. Lien | 46. Bylaws | 68. Cancel |
| 20. Payment | 47. Administrator | 69. Interim |
| 21. Final | 50. Depreciation | 70. Risk |
| 23. Line | 53. Standard | |
| 26. Ten | 55. Schedule | |

DOWN ANSWERS

- | | | |
|----------------|----------------|----------------|
| 2. Titles | 24. Conflict | 45. PolyB |
| 3. Four | 25. Planning | 48. Prudent |
| 4. User | 26. Two | 49. Continuing |
| 5. Scheme | 27. Appearance | 51. Electronic |
| 6. Air | 29. Year | 52. Tribunal |
| 8. Ratified | 33. Water | 54. Unit |
| 9. Significant | 34. Fixtures | 56. Debt |
| 11. Phase | 36. Sue | 59. Types |
| 13. Five | 37. Operating | 62. Eight |
| 14. Entry | 39. One | 63. Books |
| 15. Election | 40. Yes | 66. Rule |
| 17. Liability | 43. FormB | |
| 22. Alteration | 44. Quorum | |