
BULLETIN NUMBER:	SPA-10-01
TITLE:	UPDATED STRATA PROPERTY GUIDES
LEGISLATION:	<i>STRATA PROPERTY ACT</i>
DATE:	JUNE 2010

STRATA PROPERTY ACT

The *Strata Property Act* (the “Act”) provides a framework for the creation and operation of strata developments in British Columbia, and sets out the guidelines under which strata corporations must operate. The legislation provides for strata corporations to operate and make decisions based on democratic principles. In the fall of 2009, there were legislative amendments to the Act. As a result there have been a number of regulatory changes with more to follow after public consultation is conducted.

The Act does not contain any provisions which permit government intervention in the affairs of a strata corporation. As a result, the Superintendent of Real Estate cannot investigate breaches of the Act or take action to enforce the Act against strata owners or strata corporations.

UPDATED GUIDES TO THE *STRATA PROPERTY ACT*

To assist strata owners, residents and developers, the Superintendent of Real Estate prepared 28 guides (guides 2 through 29) to provide basic information about certain parts of the Act and its Regulations.

In the spring of 2010, all the guides were reviewed and updated as appropriate by the Ministry of Housing and Social Development. Additionally, the Province of British Columbia may periodically update the guides in the future. Nevertheless, neither the Superintendent of Real Estate, nor any other authority of the Province of British Columbia, is liable for any inaccurate or incomplete information in any guide.

READERS CANNOT RELY ON THE GUIDES FOR LEGAL ADVICE

The updated guides do not provide a legal interpretation of provisions of the Act or Regulations. The updated guides do not include information about how the courts may have interpreted provisions of the Act or Regulations. Readers of the updated guides should seek professional advice from a lawyer if they need to determine specific legal rights and duties which may apply in their particular situations.

MORE INFORMATION

A copy of the Act and Regulations is available on our website at: http://www.fic.gov.bc.ca/responsibilities/strataowners/act_regulations_forms_standardbylaws.htm.

A copy of the 28 updated guides is available on our website at: http://www.fic.gov.bc.ca/responsibilities/strataowners/instruction_guides.htm.

For questions about the Act that are not answered by the updated guides, readers may wish to contact a lawyer or one of the strata owners' associations listed on our website at: http://www.fic.gov.bc.ca/responsibilities/strataowners/related_contact.htm.

Staff at the Financial Institutions Commission periodically issue information bulletins to provide technical interpretations and positions regarding certain provisions contained in the *Strata Property Act* and Regulations. While the comments in a particular part of an information bulletin may relate to provisions of the law in force at the time they were made, these comments are not a substitute for the law. The reader should consider the comments in light of the relevant provisions of the law in force at the time, taking into account the effect of any relevant amendments to those provisions or relevant court decisions occurring after the date on which the comments were made. Subject to the above, an interpretation or position contained in an information bulletin generally applies as of the date on which it was published, unless otherwise specified.