
Condo Smarts

Headline: Shadow Strata Councils

Topic: Bylaw Enforcement, Strata Council

Publication / Date: Province, March 14, 2024

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Dear Tony: We are a bare land strata with over 200 units and have been developing a new set of bylaws over the past year. We have held several information meetings and distributed drafts to our owners. Unfortunately, a small group of owners have taken it upon themselves to create a serious division in our community by challenging the need for bylaws because we are a bare land strata, but mainly because the bylaws will affect their disruptive behaviour in our community. They call themselves the shadow council, have created a Facebook page, and have now posted opinions that resulted in an owner losing a sale. Is there any measure we can take to resolve this problem? Several council members are threatening to quit, and our once happy community is nothing but arguments.

Janine B.

Dear Janine: Sad to say we live in an era where disruptive anarchy seems to be justified, at any cost. The consequences are minimal, and the perpetrators feel vindicated by their behaviour. All opinions are important and should be valued, whether favourable or opposing. They enable us to evaluate our decisions and the values of our communities. When an individual or group of individuals set out on a campaign of attacks and challenges which are a form of harassment and bullying, you only have to root out the agenda to isolate the objective of these individuals.

In your situation, there is a movement of opposition against a restriction that prohibits the parking of motor homes in front yard driveways. The people with motor homes don't want to pay for storage, and want the convenience of direct use. In one case your strata council had to address the use of one motor home for short term accommodations, in spite of a bylaw prohibiting short term activity. It also resulted in late night parties, and a police incident.

The main target is always the incumbent strata council. The intention is to destabilize your community enabling the shadow group to take over your strata corporation for their personal needs. Engaging is seldom a solution, and reacting fuels conflicts. Your strata council needs resources and support to address this issue. It's time for the activities and correspondence to be managed by your lawyer and if necessary, address bylaw enforcement matters through the Civil Resolution Tribunal or the courts. Council members are volunteers. The collective resources of the corporation support your role and there are times when legal services are necessary.

Set up a formal information process for owners, buyers and sellers. Facebook accounts that officially represent the corporation are very helpful, but they must be moderated and filtered to ensure only accurate information is available. Routine townhall meetings with owners to raise and discuss operations and bylaws will also solidify your support. Ironically, if your new bylaws don't pass nothing will change for these owners. You already have a bylaw that prohibits the parking of a motor home in a driveway for more than 12 hours. Enforce your bylaws.