

Condominium Home Owners Association

A non-profit association serving strata owners since 1976

Bulletin: 300-049

Condo Smarts

Headline: Any user-fee changes must pass at meeting

Topic: User fees

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What do you do when suddenly the strata council tells you that you have to pay \$100.00 per month for your parking space? A group of Richmond owners were faced with notices regarding their extra parking spaces last week. They had been given permission by council in January to park their extra cars in the visitor parking, and now they find they have fees dating back to April when the council passed the rule. Can the council impose such a fee or assessment? Who decides how the additional parking is allocated?

parking. User fees can also apply to storage lockers, tennis courts, guest suites, security systems, clubhouses, and recreational facilities.

Strata Law: User fees for the use of common property or common assets may be imposed only if the amount of the fee is reasonable, and has been set out either in a bylaw or a rule. The bylaw or rule imposing a user fee must be ratified at a general meeting of the strata before it is enforceable. The bylaw or rule imposing the user fees only takes effect once the bylaw has been filed or the rule has been ratified. The strata will now have to have the rule ratified at a general meeting before fees can be collected

Tips: User fees can be effective methods to fairly allocate access to unused common property. However, the rule or bylaw should also include a method to fairly allocate the use of the property. There may also be municipal or occupancy limitations that prevent stratas from converting visitor parking into residential

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