

Condo Smarts

Headline: Film shoots good idea – if rules are followed

Topic: Film shoots

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A Vancouver penthouse owner recently discovered a quick way to make \$10,000: he decided to rent his condo out to a production company for a film shoot.

On the surface, it seemed like a great idea. The condo met the needs of the production company for a variety of locations and geographic settings. However, the film shoot wasn't restricted to just the penthouse. The outside of the building, pool area and the gardens were all used in the production. Owners in the building suddenly found themselves waiting for elevators, denied access to common areas and with no visitor parking available. The council and the manager were not informed, and before anyone could react the entire building had become a film shoot. Most important, neither the owner of the penthouse nor the production company had received permission from the council. The strata are now attempting to recover the costs of damages and expenses relating to the filming from both the owner and the production company.

Strata Law: The strata corporation may give an owner or tenant short-term permission to exclusively use, or have special privileges in relation to common property or assets, provided they are not significantly changed in use or appearance. When common property is used, the strata corporation should be a third party to a

license agreement or contract with the production company.

Tips: The lease and rental of common property such as parking spots, film productions, recreation facilities, and special events areas are all considerations that must be approved by the strata council and may require a 3/4 vote of the owners at a general meeting. A film production on your site may generate substantial revenue, but the approval for use of the facility must be granted by council. Proper contracts protecting the strata owners are a must. A part of the fee should include the cost for the strata's lawyer to review the contracts and a table listing insurance, fees, liability for damages and personnel, restoration of property, any resulting damages, any permits or licensing requirements, and the hours for use of property are critical. A film shoot can be a great experience. Don't let it be your last.

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