

REAL ESTATE UPDATE



Jennifer Willams

Author

Harper Grey LLP
604.895.2904

jwilliams@harpergrey.com



Salman Bhura

Author

Harper Grey LLP
604.895.2801

sbhura@harpergrey.com

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Strata Rental Restrictions are History: Rental Restrictions on Strata Units are No Longer Enforceable

Strata corporations in British Columbia are no longer able to enforce bylaws restricting rentals of strata units to tenants.

On November 24, 2022, Bill 44, *Building and Strata Statutes Amendment Act*, 3rd Sess, 42nd Parl, British Columbia, 2022 ("Bill 44"), was given royal assent by the Legislative Assembly of the Province of British Columbia. Bill 44 seeks to improve access to housing in British Columbia by removing rental and age restrictions in strata buildings, and by setting affordable housing targets for municipalities. These changes take effect immediately.

Previously, strata corporations were allowed to enact bylaws preventing owners of strata units from renting to tenants. Based on the number of owners who applied for

exemptions to the speculation and vacancy tax, it has been estimated that at least 2,900 strata units are empty due to rental restrictions. Accordingly, the provisions of the *Strata Property Act*, S.B.C. 1998, c. 43, which enabled strata corporations to enact rental restriction bylaws, have now been repealed. This means that strata bylaws restricting rentals to tenants are no longer enforceable.

Bill 44 poses new considerations for strata corporations, developers, and owners of strata units. Wondering how Bill 44 may affect you? Consider reaching out to the experienced real estate lawyers at Harper Grey for more information - Jennifer Willams and Salman Bhura are available to help and can be reached by email at jwilliams@harpergrey.com and sbhura@harpergrey.com.

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