



Civil Resolution Tribunal

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What Changes for Strata Disputes

Strata Jurisdiction

CRT will decide strata property disputes such as:

- fees and fines and disputed costs
- unfair actions by the strata council or owners
- interpreting and enforcing:
 - strata bylaws
 - legislation
 - regulations
- problems with meetings, voting, and proxies
- repairs
- issues with common property
- Strata not complying with the Act

Real Estate Transactions & Disclosure

Strata Jurisdiction Form B

CRT will decide strata property disputes such as:

- Disclosure of agreements for alterations
- Enforceability of alteration agreements
- Non disclosure of mandatory information
- Inaccurate disclosure of parking stalls
- Inaccurate disclosure of storage lockers
- Non compliant forms
- Non disclosure of special levies
- Non disclosure of bylaws passed but no filed

Strata Jurisdiction Form F

CRT will decide strata property disputes such as:

- Form F declarations will be subject to dispute.
- The strata withholds a Form F or provides it disclosing an amount that is disputed.
- A seller may commence a CRT action and pay the amount to the strata in trust, pending the outcome of the dispute.
- Sellers and tenants may dispute past issues that occurred during their ownership or tenancy, subject to the Limitation Act.
- Form F should be requested early in the process

Strata: What changes?

No \$ Limit

- i.e. payment of a \$100,000 special assessment or insurance deductible

Bylaws & Rules

- Are they enforced properly and fairly?
- Consistent with legislation?

Start claim without
 $\frac{3}{4}$ vote

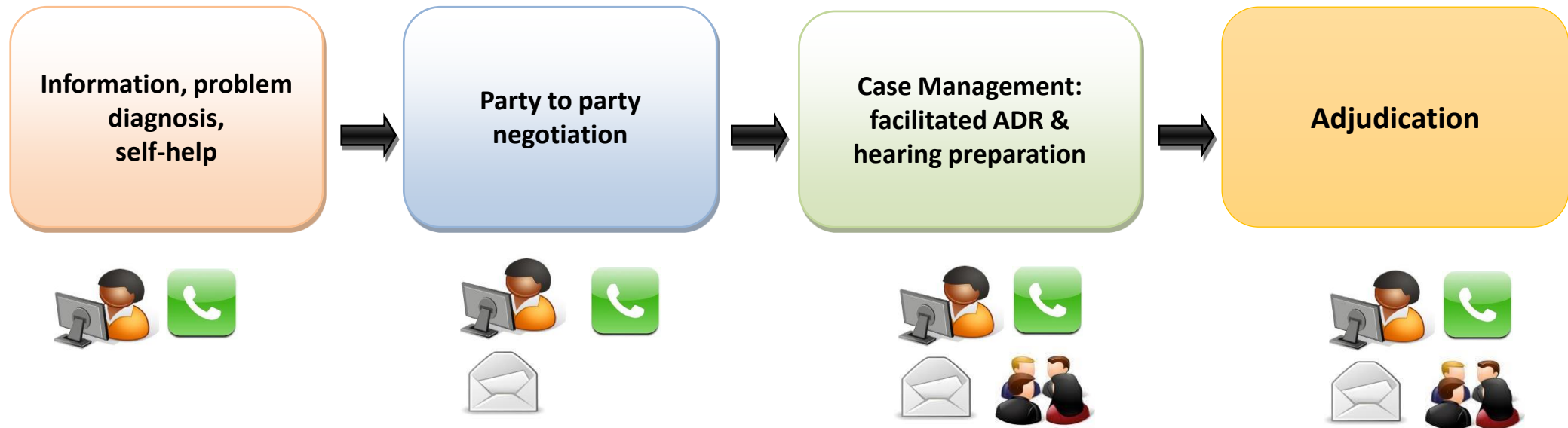
- Strata council can start CRT claim on own motion

Injunctive-type relief

- Orders to do or stop doing something
- i.e. hardship, pay fines/fees, comply with bylaws, convene meetings

CRT Overview Objective: Consensual Solutions

Dispute volumes



How will the CRT Really work?



Meet John
& Mary Lou





John's Story



John

- Lives in a condo in Deep Cove
- Manages an antique store
- Upset about cigarette smoke contaminating his unit
- His strata isn't enforcing the bylaw about smoke



- Lives next to John
- Retired teacher & aspiring crime novel author
- Serious chain smoker
- Smokes in his unit and on his balcony

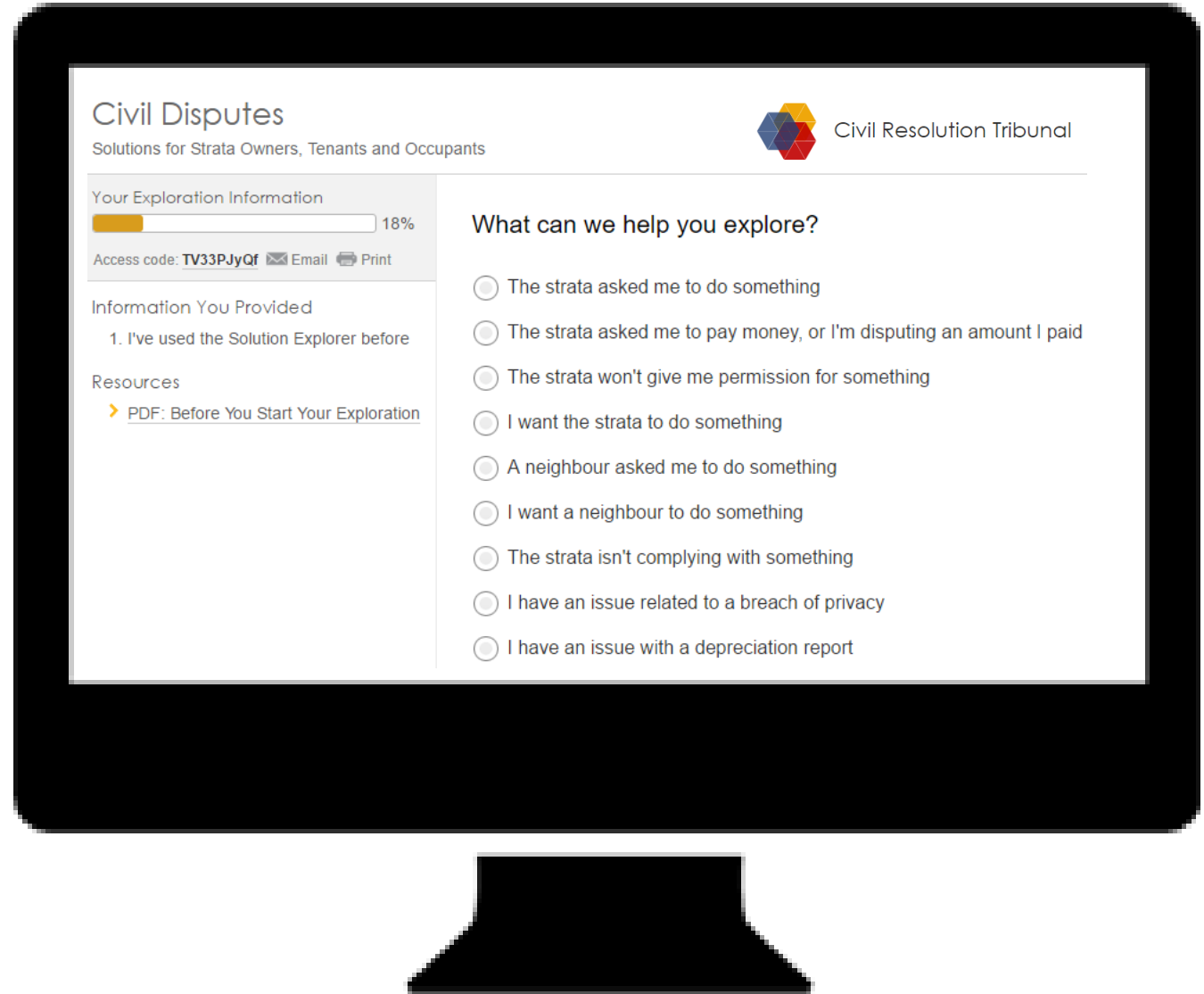


Darin



John

- Uses the Solution Explorer to diagnose problem
- Learns about having a hearing with strata council
- Uses self-help tools to request hearing
- Asks strata to enforce the smoke bylaw
- But Darin is still smoking



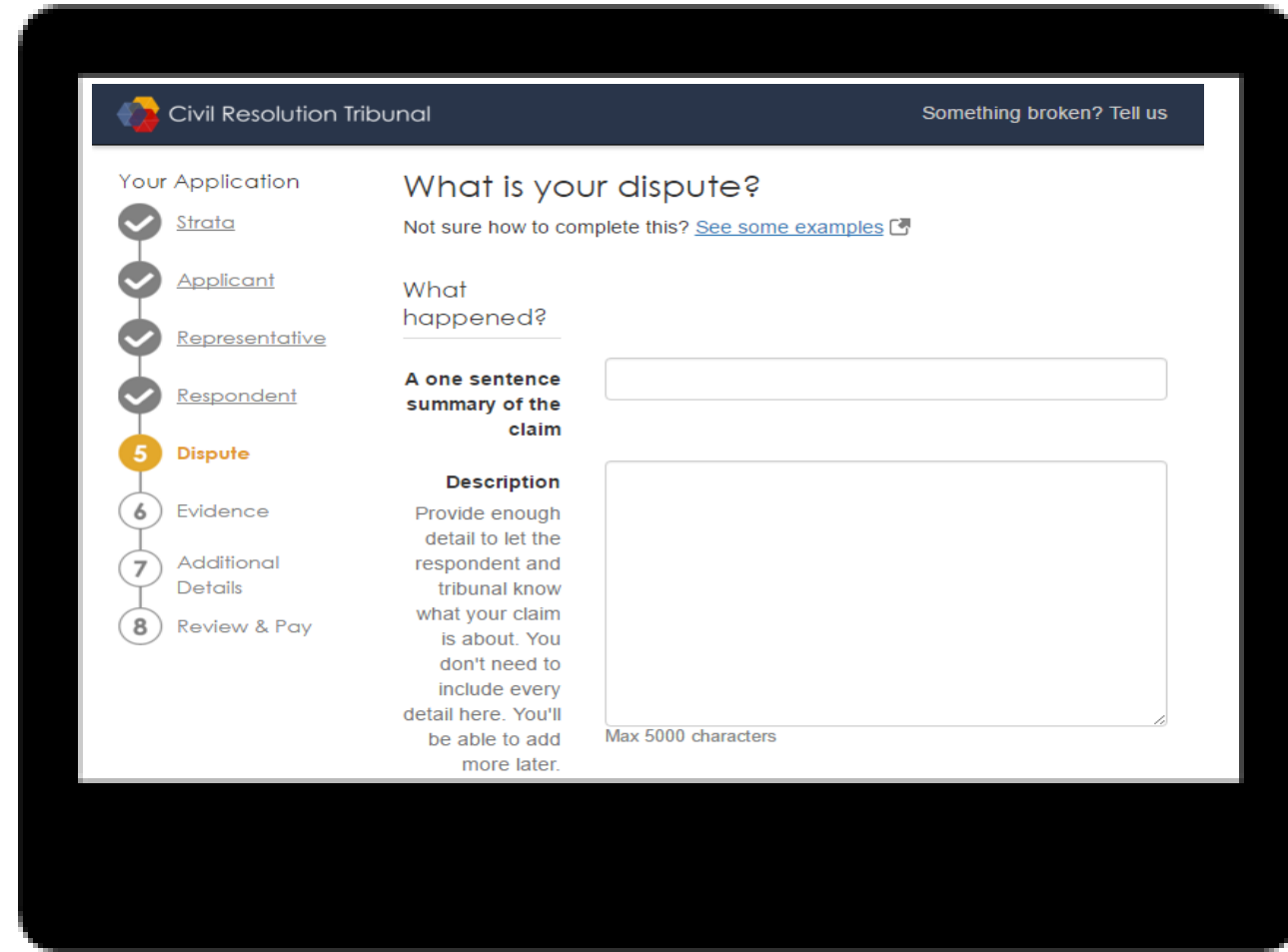
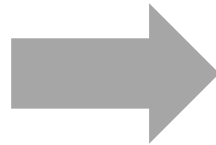


John

- Applies for CRT dispute resolution
- Claims strata must enforce bylaw



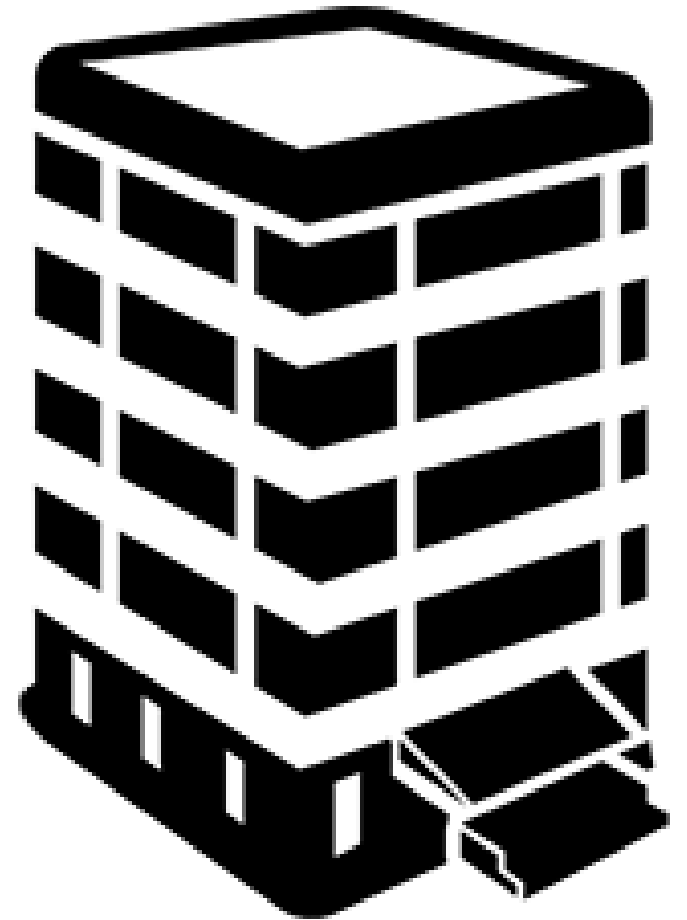
Solution Explorer



CRT Dispute Application

The Strata Corp

- Receives notice of a CRT dispute
- Must participate in the process
- Doesn't require a vote of the owners to participate
- May face CRT decision about a bylaw:
 - Enforceable?
 - Enforced properly?
 - Applied fairly?
- Can be represented by authorized Strata Council member



- Dispute moves through negotiation without resolution
- CRT facilitator assigned to dispute
- Facilitator reviews the dispute information and recommends Darin's participation



John



Strata Corp



Darin



Civil Resolution Tribunal

Facilitator



**Strata
Council**



John



Darin



Facilitator

- Facilitator holds a teleconference with John, the strata and Darin
- They discuss the smoking bylaw AND the impact smoke is having on John
- The parties reach an agreement





Facilitator



Civil Resolution Tribunal

- Facilitator helps document the agreement
- Recommends monetary consequences if Darin fails to comply
- Tribunal turns agreement into consent resolution order



Agreement

Darin will stop smoking in his unit, and will smoke in the designated covered area in the gardens

The Strata will tidy up and paint the designated smoking area