


Form I – Amendment to Bylaws

Section 128; Strata Property Act

The Owners, Strata Plan LMS259 [the registration number of the strata plan] certify that the following or attached amendments to the bylaws of the strata corporation were approved by a resolution passed in accordance with section 128 of the Strata Property Act at an annual or special general meeting held on June 20th, 2018:

Bylaw amendment wording:

(see attached)



Signature of Council Member



Signature of Second Council Member

APPROVED BYLAW AMENDMENTS

3 *Use of property*

3.1 An owner, tenant, occupant or visitor must not use a strata lot, the common property or common assets in a way that;

(b) causes unreasonable noise,

3.1.1 An owner, tenant, occupant or visitor must not use a strata lot, the common property or common assets in a way that;

(b) causes unreasonable noise,

(i) *causes unreasonable noise or sound from loud music, conversations or social gatherings,*

(ii) *causes unreasonable noise or sound transfer between the suites and/or from your balcony,*

(iii) *construction or construction related noise,*

a.) *before 8.00 a.m. or after 7.00 p.m. from Monday to Friday;*

b.) *before 9.00 a.m. or after 5.00 p.m. on Saturday;*

c.) *at any time on Sunday or any statutory holiday; except*

1.) *in the case of emergency repair; or*

2.) *with council's written approval.*

37 *Rental Restrictions*

37.6 *A strata lot must not be used for short-term accommodation purposes, such as a bed-and-breakfast, lodging house, hotel, home exchange, time share or vacation rental. Without limiting the generality of the foregoing, a resident must not enter into a license for the use of all or part of a strata lot.*

LMS259 BYLAWS

SANDBORNE WOODS

Strata Plan – LMS 259

BYLAWS

Amended: June 4, 2012

Registration #: CA2579917

LMS259 BYLAWS

Preamble

These bylaws bind the strata corporation and the owners,' tenants and occupants to the same extent as if the bylaws had been signed by the strata corporation and each owner, tenant and occupant and contained covenants on the part of the strata corporation with each owner, tenant and occupant and on the part of each owner, tenant and occupant with every other owner, tenant and occupant and with the strata corporation to observe and perform their provisions.

Unless otherwise stated, all the terms have the meaning prescribed in the Strata Property Act, 1998, c. 43. For the purposes of these bylaws, "residents" means collectively, owners, tenants and occupants and "a resident" means collectively, an owner, a tenant and an occupant.

Division 1 - Duties of Owners, Tenants, Occupants and Visitors

1 Payment of Strata Fees

- 1.1 An owner must pay strata fees on or before the first day of the month to which the strata fees relate.
- 1.2 If an owner is late in paying his or her strata fees, the owner must pay the strata corporation interest on the late payment in the amount of 10% per annum, compounded annually, and calculated on a monthly basis commencing from the date the payment was due and continuing until the last day of the month in which it is paid.
- 1.3 A special levy is due and payable on the date or dates noted in the resolution authorizing the special levy.

2 Repair and maintenance of property by owner

- 2.1 An owner must repair and maintain the owner's strata lot, except for repair and maintenance that is the responsibility of the strata corporation under these bylaws.
- 2.2 Repair and maintenance of limited common areas designated roof deck in the strata plan is the responsibility of each owner that has the exclusive use of each roof deck in accordance with Section 72 (2a) of the Strata Act.

LMS259 BYLAWS

3 Use of property

- 3.1 An owner, tenant, occupant or visitor must not use a strata lot, the common property or common assets in a way that;
- (a) causes a nuisance or hazard to another person,
 - (b) causes unreasonable noise,
 - (c) unreasonably interferes with the rights of other persons to use and enjoy the common property, common assets or another strata lot,
 - (d) is illegal, or
 - (e) is contrary to a purpose for which the strata lot or common property is intended as shown expressly or by necessary implication on or by the strata plan.
- 3.2 An owner, tenant, occupant or visitor must not cause damage, other than reasonable wear and tear, to the common property, common assets or those parts of a strata lot which the strata corporation must repair and maintain under these bylaws or insure under section 149 of the Act.
- 3.3 An owner, tenant or occupant must not:
- (a) use a barbecue, hibachi or other like cooking device on a balcony, deck or patio unless such barbecue, hibachi or cooking device is powered by propane, natural gas or electricity and such propane, natural gas or electricity powered barbecues, hibachis and other light cooking devices shall not be used except in accordance with rules made by the strata corporation from time to time;
 - (b) shake any mops or dusters of any kind, nor throw any refuse, out of the windows or doors or from the balcony of the strata lot;
 - (c) do anything that will increase the risk of fire or the rate of insurance on the building or any part thereof;
 - (d) hang or display any laundry, washing, clothing, bedding or other articles from windows, balconies or other parts of the building so that they are visible from the outside of the building;
 - (e) erect on or fasten to the strata lot, the common property or any limited common property any television or radio antenna or similar structure or appurtenance thereto;
 - (f) place any indoor carpeting on any deck, patio or balcony, or place any items on any deck, patio or balcony except free-standing, self-contained planter boxes, barbecues, summer furniture and accessories;
 - (g) give any keys, combinations, security cards or other means of access to the building, the parking garage or common areas to any person other than employee, contractor, occupant or guest of the strata lot permitted by these bylaws.

LMS259 BYLAWS

Use of property - CONTINUES

3.4 A resident or visitor must not do, or omit to do, whether deliberately or negligently, any act which would result in costs being incurred by the strata corporation due to a claim being made on the insurance policy of the strata corporation. In the event that loss or damage occurs that gives rise to a valid claim under the strata corporation's insurance policies, where such loss or damage arises as a result of a negligent or deliberate act of a resident or visitor, then such owner or the resident who is responsible for the visitor, shall, as permitted by section 133 of the Act, be responsible for paying to the strata corporation the reasonable costs of the strata corporation remedying the contravention of this bylaw, being an amount equal to the insurance deductible payable by the strata corporation.

3.5 An owner, tenant, occupant or visitor must not smoke cigarettes, cigars, marijuana, hookah or any other substances not permitted, within seven and six meters (6 m) of any opening or entrance to the building(s), including the parking areas(s), hallway(s), elevator(s), stairwells, patios and balconies.

4 Inform Strata Corporation

4.1 Within 2 weeks of becoming an owner, an owner must inform the strata corporation of the owner's name, strata lot number and mailing address outside the strata plan, if any. (2) On request by the strata corporation, a tenant must inform the strata corporation of his or her name.

5 Obtain approval before altering a strata lot

5.1 An owner must obtain the written approval of the strata corporation before making an alteration to a strata lot that involves any of the following:

- (a) the structure of a building;
- (b) the exterior of a building;
- (c) chimneys, stairs, balconies or other things attached to the exterior of a building;
- (d) doors, windows or skylights on the exterior of a building, or that front on the common property;
- (e) fences, railings or similar structures that enclose a patio, balcony or yard;
- (f) common property located within the boundaries of a strata lot;
- (g) those parts of the strata lot which the strata corporation must insure under section 149 of the Act.

5.2 The strata corporation must not unreasonably withhold its approval under subsection (1), but may require as a condition of its approval that the owner agree, in writing, to take responsibility for any expenses relating to the alteration.

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Obtain approval before altering a strata lot - CONTINUES

5.3 An owner, tenant or occupant must not do any act, nor alter a strata lot, in any manner, which in the opinion of the council will alter the exterior appearance of the building.

6 Obtain approval before altering common property

6.1 An owner must obtain the written approval of the strata corporation before making an alteration to common property, including limited common property, or common assets.

6.2 The strata corporation may require as a condition of its approval that the owner agree, in writing, to take responsibility for any expenses relating to the alteration and to provide, at the request of the strata corporation, evidence of appropriate insurance coverage relating to the alteration.

7 Permit entry to strata lot

7.1 An owner, tenant, occupant or visitor must allow a person authorized by the strata corporation to enter the strata lot;

(a) in an emergency, without notice, to ensure safety or prevent significant loss or damage, and

(b) at a reasonable time, on 48 hours written notice,

(i) to inspect, repair or maintain common property, common assets and any portions of a strata lot that are the responsibility of the strata corporation to repair and maintain under these bylaws or insure under section 149 of the Act; and

(ii) to ensure compliance with the Act and these bylaws.

7.2 The notice referred to in subsection (1)(b) must include the date and approximate time of entry, and the reason for entry.

LMS259 BYLAWS

Division 2 - Powers and Duties of Strata Corporation

8 Council Repair and maintenance of property by the Strata Corporation

8.1 The strata corporation must repair and maintain all of the following:

- (a) common assets of the strata corporation;
- (b) common property that has not been designated as limited common property;
- (c) limited common property that has not been designated as roof deck in the strata plan filed in the land title office.
- (d) A strata lot in a strata plan that is not a bare land strata plan, but the duty to repair and maintain it is restricted to:
 - (i) the structure of a building;
 - (ii) doors and windows on the exterior of a building or that front on the common property.

8.2 The duty to repair and maintain property by the strata corporation is restricted to:

- (a) repair and maintenance that in the ordinary course of events occurs less often than once a year, and
- (b) the following, no matter how often the repair and maintenance ordinary occurs:
 - (i) the structure of a building excluding limited common areas designated roof deck;
 - (ii) the exterior of a building excluding limited common areas designated roof deck;
 - (iii) chimneys, stairs, balconies attached to the exterior of a building;
 - (iv) doors, windows on the exterior of a building or that front on the common property excluding those found on limited common areas designated roof deck;
 - (v) railings and similar structures that enclose balconies;

9 Council size

9.1 The council must have at least 3 and not more than 7 members.

10 Council members terms

10.1 The term of office of a council member ends at the end of the annual general meeting, at which the new council is elected.

10.2 A person whose term as council member is ending is eligible for reelection.

10.3 The owner or spouse of an owner may stand for council but not both persons.

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Council members terms – CONTINUES

- 10.4 No person may stand for council or continue to be on council with respect to a strata lot if the strata corporation is entitled to register a lien against that strata lot under section 116(1) of the Act.
- 10.5 No person may stand for council or continue to be on council with respect to a strata lot if there are amounts owing to the strata corporation charges against the strata lot in respect of administration fees, bank charges, fines, penalties, interest or the costs, including the legal costs, of remedying a contravention of the bylaws or rules for which the owner is responsible under section 131 of the Act.

11 Removing council member

- 11.1 Unless all the owners are on the council, the strata corporation may, by a resolution passed by a majority vote at an annual or special general meeting, remove one or more council members.
- 11.2 After removing a council member, the strata corporation must hold an election at the same annual or special general meeting to replace the council member for the remainder of the term.
- 11.3 No person may stand for council or continue to be on council with respect to a strata lot if the strata corporation is entitled to register a lien against that strata lot under the Act.

12 Replacing council member

- 12.1 If a council member resigns or is unwilling or unable to act for a period of 2 or more months, the remaining members of the council may appoint a replacement council member for the remainder of the term.
- 12.2 A replacement council member may be appointed from any person eligible to sit on the council.
- 12.3 The council may appoint a council member under this section even if the absence of the member being replaced leaves the council without a quorum.
- 12.4 If all the members of the council resign or are unwilling or unable to act for a period of 2 or more months, persons holding at least 25% of the strata corporation's votes may hold a special general meeting to elect a new council by complying with the provisions of the Act, the regulations and the bylaws respecting the calling and holding of meetings.

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13 Officers

- 13.1 At the first meeting of the council held after each annual general meeting of the strata corporation, the council must elect, from among its members, a president, a vice president, a secretary and a treasurer.
- 13.2 A person may hold more than one office at a time, other than the offices of president and vice president.
- 13.3 The vice president has the powers and duties of the president;
- (a) while the president is absent or is unwilling or unable to act, or
 - (b) for the remainder of the president's term if the president ceases to hold office.
- 13.4 If an officer other than the president is unwilling or unable to act for a period of 2 or more months, the council members may appoint a replacement officer from among themselves for the remainder of the term.

14 Calling council meetings

- 14.1 Any council member may call a council meeting by giving the other council members at least one week's notice of the meeting, specifying the reason for calling the meeting.
- 14.2 The notice does not have to be in writing.
- 14.3 A council meeting may be held on less than one weeks' notice if
- (a) all council members consent in advance of the meeting, or
 - (b) the meeting is required to deal with an emergency situation, and all council members either
 - (i) consent in advance of the meeting, or
 - (ii) are unavailable to provide consent after reasonable attempts to contact them.
- 14.4 The council must inform owners about a council meeting as soon as feasible after the meeting has been called.

15 Requisition of council hearing

- 15.1 By application in writing, stating the reason for the request, an owner or tenant may request a hearing at a council meeting.
- 15.2 If a hearing is requested under subsection (1), the council must hold a meeting to hear the applicant within one month of the request.

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Requisition of council hearing - CONTINUES

15.3 If the purpose of the hearing is to seek a decision of the council, the council must give the applicant a written decision within one week of the hearing.

16 **Quorum of council**

16.1 A quorum of the council is;

- (a) 2, if the council consists of 3 or 4 members,
- (b) 3, if the council consists of 5 or 6 members, and
- (c) 4, if the council consists of 7 members.

16.2 Council members must be present in person at the council meeting to be counted in establishing quorum.

17 **Council meetings**

17.1 At the option of the council, council meetings may be held by electronic means, so long as all council members and other participants can communicate with each other.

17.2 If a council meeting is held by electronic means, council members are deemed to be present in person.

17.3 Owners may attend council meetings as observers.

17.4 Despite subsection (3), no observers may attend those portions of council meetings that deal with any of the following:

- (a) bylaw contravention hearings under section 135 of the Act;
- (b) rental restriction bylaw exemption hearings under section 144 of the Act;
- (c) any other matters if the presence of observers would, in the council's opinion, unreasonably interfere with an individual's privacy.

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18 Voting at council meetings

- 18.1 At council meetings, decisions must be made by a majority of council members present in person at the meeting.
- 18.2 If there is a tie vote at a council meeting, the president may break the tie by casting a second, deciding vote.
- 18.3 The results of all votes at a council meeting must be recorded in the council meeting minutes.

19 Council to inform owners of minutes

- 19.1 The council must inform owners of the minutes of all council meetings within 2 weeks of the meeting, whether or not the minutes have been approved.

20 Delegation of council's powers and duties

- 20.1 Subject to subsections (2) to (4), the council may delegate some or all of its powers and duties to one or more council members or persons who are not members of the council, and may revoke the delegation.
- 20.2 The council may delegate its spending powers or duties, but only by a resolution that,
 - (a) delegates the authority to make an expenditure of a specific amount for a specific purpose, or
 - (b) delegates the general authority to make expenditures in accordance with subsection (3).
- 20.3 A delegation of a general authority to make expenditures must;
 - (a) set a maximum amount that may be spent, and
 - (b) indicate the purposes for which, or the conditions under which, the money may be spent.
 - (4) The council may not delegate its powers to determine, based on the facts of a particular, case,
 - (a) whether a person has contravened a bylaw or rule,
 - (b) whether a person should be fined, and the amount of the fine, or
 - (c) whether a person should be denied access to a recreational facility.

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21 Spending restrictions

- 21.1 A person may not spend the strata corporation's money unless the person has been delegated the power to do so in accordance with these bylaws.
- 21.2 Despite subsection (1), a council member may spend the strata corporation's money to repair or replace common property or common assets if the repair or replacement is immediately required to ensure safety or prevent significant loss or damage.

22 Limitation on liability of council member

- 22.1 A council member who acts honestly and in good faith is not personally liable because of anything done or omitted in the exercise or intended exercise of any power or the performance or intended performance of any duty of the council.
- (2) Subsection (1) does not affect a council member's liability, as an owner, for a judgment against the strata corporation.

Division 4 - Enforcement of Bylaws and Rules

23 Maximum fine

- 23.1 The strata corporation may fine an owner or tenant a maximum of:
- (a) \$200 for each contravention of a bylaw, and
 - (b) \$50 for each contravention of a rule.
- 23.2 The strata corporation may impose a fine on an owner or tenant for a continuing contravention of a bylaw or rule every 7 days.
- 23.3 Each owner and tenant is responsible for payment, without invoice, of any money (other than strata fees, but including special levies) owing to the strata corporation as provided for in the Act or these bylaws, and if the owner or tenant fails to pay any money so owing within 15 days after the date such money becomes due, the owner or tenant will, after having been given written notice of the default and been provided with a reasonable opportunity to answer the complaint (including a hearing if requested), be assessed and pay a fine of \$10.00, and if such default continues for a further 15 days, an additional fine of \$25.00 will be levied against and paid by the owner or tenant, as the case may be, and for each additional month such default continues, an additional fine of \$25.00 will be levied against and paid by the owner or tenant.

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Maximum fine - CONTINUES

23.4 Additional assessments, fines authorized by these bylaws, banking charges, filing costs, legal expenses, interest charges and any other expenses incurred by either the strata corporation to enforce these bylaws, as they may be amended from time to time, or any rule which may be established from time to time by the council pursuant to the Act or these bylaws, shall become part of the assessment of the owner responsible and shall become due and payable on the first day of the month next following, except that any amount owing in respect of a fine or the cost of remedying the contravention of a bylaw will be calculated as a separate component of such assessment and the strata corporation may not register a lien against such a separate component.

24 **Continuing contravention**

24.1 If an activity or lack of activity that constitutes a contravention of a bylaw or rule continues, without interruption, for longer than 7 days, a fine may be imposed every 7 days.

Division 5 - Annual and Special General Meetings

25 **Person to chair meeting**

25.1 Annual and special general meetings must be chaired by the president of the council.

25.2 If the president of the council is unwilling or unable to act, the meeting must be chaired by the vice president of the council.

25.3 If neither the president nor the vice president of the council chairs the meeting, a chair must be elected by the eligible voters present in person or by proxy from among those persons who are present at the meeting.

26 **QUORUM OF MEETING**

26.1 At time appointed for an annual or special general meeting, a quorum is not present, the meeting then stands adjourned for 1/2 hour on the same day and at the same place. If within a 1/2 hour from the time of the adjournment, a quorum is not present, the eligible voters, present in person or by proxy, constitute a quorum. This bylaw is an alternative to section 48(3) of the Strata Property Act. This bylaw does not apply to a meeting demanded pursuant to section 43 of the Act and failure to obtain a quorum for a meeting demanded pursuant to section 43 terminates, and does not allow the meeting to proceed.

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27 Participation by other than eligible voters

- 27.1 Tenants and occupants may attend annual and special general meetings, whether or not they are eligible to vote.
- 27.2 Persons who are not eligible to vote, including tenants and occupants, may participate in the discussion at the meeting, but only if permitted to do so by the chair of the meeting.
- 27.3 Persons who are not eligible to vote, including tenants and occupants, must leave the meeting if requested to do so by a resolution passed by a majority vote at the meeting.

28 Voting

- 28.1 At an annual or special general meeting, voting cards must be issued to eligible voters.
- 28.2 At an annual or special general meeting a vote is decided on a show of voting cards, unless an eligible voter requests a precise count.
- 28.3 If a precise count is requested, the chair must decide whether it will be by show of voting cards or by roll call, secret ballot or some other method.
- 28.4 The outcome of each vote, including the number of votes for and against the resolution if a precise count is requested, must be announced by the chair and recorded in the minutes of the meeting.
- 28.5 If there is a tie vote at an annual or special general meeting, the president, or, if the president is absent or unable or unwilling to vote, the vice president, may break the tie by casting a second, deciding vote.
- 28.6 Despite anything in this section, an election of council or any other vote must be held by secret ballot, if the secret ballot is requested by an eligible voter.
- 28.7 An owner who is otherwise an eligible voter may not exercise his or her vote for a strata lot, except on matters requiring a unanimous vote, if the strata corporation is entitled to register a lien against that strata lot.

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29 Order of business

- 29.1 The order of business at annual and special general meetings is as follows:
- (a) certify proxies and corporate representatives and issue voting cards;
 - (b) determine that there is a quorum;
 - (c) elect a person to chair the meeting, if necessary;
 - (d) present to the meeting proof of notice of meeting or waiver of notice;
 - (e) approve the agenda;
 - (f) approve minutes from the last annual or special general meeting;
 - (g) deal with unfinished business;
 - (h) receive reports of council activities and decisions since the previous annual general meeting, including reports of committees, if the meeting is an annual general meeting;
 - (i) ratify any new rules made by the strata corporation under section 125 of the Act;
 - (j) report on insurance coverage in accordance with section 154 of the Act, if the meeting is an annual general meeting;
 - (k) approve the budget for the coming year in accordance with section 103 of the Act, if the meeting is an annual general meeting;
 - (l) deal with new business, including any matters about which notice has been given under section 45 of the Act;
 - (m) elect a council, if the meeting is an annual general meeting; (n) terminate the meeting.

Division 6 - Voluntary Dispute Resolution

30 Voluntary dispute resolutions

- 30.1 A dispute among owners, tenants, the strata corporation or any combination of them may be referred to a dispute resolution committee by a party to the dispute if:
- (a) all the parties to the dispute consent, and
 - (b) the dispute involves the Act, the regulations, the bylaws or the rules.
- 30.2 A dispute resolution committee consists of:
- (a) one owner or tenant of the strata corporation nominated by each of the disputing parties and one owner or tenant chosen to chair the committee by the persons nominated by the disputing parties,
- or

LMS259 BYLAWS

Voluntary dispute resolutions - CONTINUES

(b) any number of persons consented to, or chosen by a method that is consented to, by all the disputing parties.

30.3 The dispute resolution committee must attempt to help the disputing parties to voluntarily end the dispute.

Division 7 - Marketing Activities by Owner Developer Display lot

~~(1) An owner developer who has an unsold strata lot may carry on sales functions that relate to its sale, including the posting of signs.~~

~~(2) An owner developer may use a strata lot, that the owner developer owns or rents, as a display lot for the sale of other strata lots in the strata plan.~~

Division 8 - Miscellaneous Matters

31 Small Claims Actions

31.1 Notwithstanding any provisions of the Act, the strata corporation may proceed under the Small Claims Act (British Columbia) against an owner or other person to collect money owing to the strata corporation, including money owing as a fine, without requiring authorization by a resolution passed by a % vote.

32 Electronic Attendance at Meetings

32.1 Attendance by persons at an annual or special general meeting may be by telephone or other electronic method if such method permits all persons participating in the meeting to communicate with each other during the meeting.

33 Garbage Disposal

33.1 An owner, tenant or occupant shall remove ordinary household refuse and garbage from his strata lot and deposit it in the containers provided by the strata corporation for that purpose; all garbage shall be bagged and tied before so depositing and the owner, tenant or occupant shall remove any materials other than ordinary household refuse and garbage from the strata plan property at his or her expense.

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34 Bicycles, Storage and Parking

- 34.1 Bicycles are not permitted in hallways or any other common areas. No bicycles are to be kept on balconies or patios; instead, they shall be stored within the owner's designated storage locker or such other area as may be prescribed by the council.
- 34.2 Any owner, tenant or occupant that leaves any item anywhere on or in the common property or limited common property does so at his or her risk, subject to any claim that may properly be made under any insurance policy maintained by the strata corporation by anyone that is an insured under that policy.
- 34.3 An owner, tenant or occupant must use parking stalls only for parking of licensed and insured motor vehicles, trailers, motorcycles or bicycles, and not for the parking of any other type of vehicle or the storage of any other item, unless otherwise approved in writing by council.
- 34.4 An owner, tenant or occupant shall not:
- (a) use any parking space in the building or on the common property or on any limited common property, except the parking space which has been specifically assigned to his strata lot, a parking space leased by the owner or, when specifically agreed with another owner, the parking space assigned to the strata lot of that other owner;
 - (b) carry out oil changes, major repairs or adjustments to motor vehicles or other mechanical equipment on common property or on any limited common property, except in the case of emergency;
 - (c) park any vehicle in a manner which will reduce the width of the garage roadway or ramp or any roadway on the common property or on any limited common property; and
 - (d) use any part of the common property (other than established storage rooms or lockers) for storage, without the written consent of the council.
 - (e) An owner, tenant or occupant must promptly and at its own expense clean up any oil or other substance which leaks onto the common property.
 - (f) Visitor Parking stalls are provided strictly for the use of guests/visitors to the property and are not to be used by residents of ``Sandborne Woods`` for extended, or overnight parking of their personal vehicles. No overnight parking within Visitor Parking will be permitted unless the guest vehicle is clearly marked with a note on the dashboard indicating what suite the guest is visiting. Parking arrangements for guests staying longer than 3 days can be made in advance (between the hours of 9 am and 9 pm only) through the building manager.

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35 Move In / Move Out

- 35.1 The strata corporation may regulate the times and manner in which any person moves into or out of strata lots and may require that such moves be co-ordinated with the manager of the building at least 7 days in advance of such moves, or such lesser period as the council may, in its sole discretion, permit, provided that if an owner or tenant carries out any move into or out of a strata lot otherwise than in accordance with such prior arrangements made with the manager of the building, the owner or tenant will be subject to a fine of \$100.00.
- 35.2 An owner or tenant must notify the strata corporation in advance of the date and time that the owner or tenant will be moving into or out of the strata lot.

35 Selling of Strata Lots

- 35.1 An owner of a strata lot, when selling a strata lot, will not permit "For Sale" signs to be placed on or about the common property except on the signage board located adjacent to the entrance to the building which is designated for such purpose.

36 Insurance

- 36.1 The strata corporation must insure against major perils as set out in regulation 9.1(2) including, without limitation, earthquakes.
- 36.2 “In the event that loss or damage occurs that gives rise to a valid claim under the Strata Corporation’s insurance policy, it is agreed and understood that: if the origination of the loss is within the interior confines of an individual strata lot the deductible of the Strata Corporation’s policy relative to the loss shall be paid by the individual Strata Lot owner in whose lot the cause of the damage was originated. The foregoing will also hold true if the careless, negligent or inattentive acts of a Strata Lot owner causes damage outside the Strata Lot and the origination of the loss is anywhere on the premises.
- 36.3 In the event that an owner or any member of their family or their guests, servants or agents cause damage to common property, limited common property or common facilities and the damage so caused is not covered by the insurance, the Strata Lot owner shall be held responsible for such loss and promptly reimburse the Strata Corporation for the full cost of repair or replacement of the damage done.

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Insurance - CONTINUES

- 36.4 The only exception to the foregoing is where loss originates from the rupture or malfunction of a permanent public facility supply line or sewer system that extends from common property into an individual unit, in which case the deductible shall be the responsibility of the Strata Corporation. It is further agreed and understood that where any loss or damage originates from “common property” as defined in the Strata Property Act and is not the responsibility of a Strata Lot owner as previously defined, the deductible shall then be the responsibility of the Strata Corporation.
- 36.5 Damage to personal property of an owner or occupant of the unit, together with any upgrading, substituting or improvements or betterments to the unit that have been made or acquired by the present owner from those originally installed shall be the responsibility of the owner.
- 36.6 In the event that the strata corporation or its authorized agent(s) determines that an emergency exists and that damage may be caused to any strata lot or common property, a strata lot owner shall indemnify and save harmless the strata corporation from the expense of a contractor(s) attending the building and/or from any reasonable emergency maintenance, repair or replacement to or in the strata lot, that would otherwise be the responsibility of the owner of that lot, but only to the extent that such expense is not met by the proceeds of insurance carried by the strata corporation.”

37 Rental Restrictions

- 37.1 Subject to the provisions of this bylaw strata lots shall be owner-occupied only, with the following considerations and exceptions:
- (a) at any given time up to seven strata lots (7) may be leased for terms of not less than one year, and the procedure to be followed by the strata corporation in administering this limit will be as follows:
 - (i) any owner wishing to rent a strata lot must make an application in writing to the council;
 - (ii) approvals will be granted by the council on a first come basis in the order of the date such applications are received by council;
 - (iii) the council will not screen tenants, establish screening criteria, require the approval of tenants, require the insertion of terms in tenancy agreements or otherwise restrict the rental of a strata lot except as set out in this bylaw;
 - (iv) the council will consider each application upon receipt and will respond to each application in writing within one week of receipt;

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(v) the council will keep a list of owners who wish to rent their strata lot and the priority of their application, and will advise each owner as soon as their application can be accepted;

(vi) upon acceptance of an application to rent, an owner must enter into a lease of a strata lot within six months (6) from acceptance by the council of such owner's application or the acceptance will be automatically revoked and the council will be entitled to advise the owner next following on the list that its application to rent a strata lot has been approved; and

(vii) an owner may continue to lease his or her strata lot until the earlier of the date such owner moves in the strata lot to take occupancy and the date the strata lot is sold by the owner to a third party.

37.2 Notwithstanding paragraph (a), where cases of undue physical or financial hardship of a personal nature arise, the owner may make a written request to the council for permission to rent a strata lot for a limited period of time, and where the council has been provided with evidence that undue hardship will result if limited rental approval is not given, the council shall not unreasonably withhold permission for limited rental;

37.3 This bylaw does not apply to prevent the rental of a strata lot to a member of the "family" of an owner, meaning;

(a) the spouse of the owner;

(b) a parent or child of the owner; or

(c) parent or child of the spouse of the owner,

(d) where "spouse of the owner" includes an individual who has lived and cohabitated with the owner, for a period of at least two years at the relevant time, in a marriage-like relationship, including a marriage-like relationship between persons of the same gender;

37.4 Where an owner has leased a strata lot to a tenant pursuant to a tenancy agreement entered into before this bylaw was passed, this bylaw does not apply to such strata lot until the later of:

(a) one year after the tenant who is occupying the strata lot at the time the bylaw is passed ceases to occupy the strata lot as a tenant; and

(b) one year after the bylaw has been passed; and

37.5 The strata corporation is entitled to impose a fine of up to \$500 for a contravention of this bylaw, and may impose such a fine for a continuing contravention, every seven days.