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INFORMATION ON AGE BYLAWS

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Prior to the Strata Property Act, age restrictions were a source of controversy amongst owners in a strata complex. With the passing of the Strata Property Act, this controversy has been resolved.

Bylaws passed by a strata council cannot restrict the age of the owner of a strata lot. However, section 121(2)(c) of the Strata Property Act states that a bylaw is enforceable if it restricts the age of occupants who reside in the strata lot. Basically, a strata council cannot restrict who owns the unit, but they can restrict who resides there.

Please note that such age restriction bylaws will not apply to persons who reside in the strata lot at the time the bylaw is passed, as per section 123(2) of the Strata Property Act. Further, assuming rentals are allowed, an age restriction bylaw will not apply to tenants, as this would conflict with the Human Rights Code.

Please remember that the Strata Property Act may frequently change. While we try to keep our website up to date as much as possible, please do not rely upon the information without talking to one of our lawyers.

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