

Information Bulletin

Bulletin Number: SPA 03-001

Topic: FEES OWING TO THE SUPERINTENDENT OF REAL ESTATE UNDER THE STRATA PROPERTY ACT

Issue Date: MAY 30, 2003

Changes to Fees Owning to the Superintendent of Real Estate under the Strata Property Act

Schedule Approvals

In July of 2000, the *Strata Property Act* (the “Act”) eliminated the need for developers to obtain the approval of the Superintendent of Real Estate to most schedules that accompany a strata plan. Now developers must obtain the approval of the Superintendent of Real Estate to a schedule which accompanies a strata plan only in the following circumstances:

Form V and Form 1 Schedules of Unit Entitlement

- where the development includes both residential and non-residential strata lots [section 246(5)];
- where unit entitlement is based on formula other than habitable area or an equal whole number [sections 246(3)(a)(iii), 246(3)(b)(iii), 246(6)(b)];
- where the schedule of unit entitlement will change as a result of a correction or strata plan amendment [section 264(6)]; and
- where a strata plan is phased, and the strata plan for the first phase was created under the old Condominium Act [Regulation 17.17].

Form W and Form 3 Schedules of Voting Right

- where voting rights are based on a unique formula [section 248];
- where the schedule of voting rights will change as a result of a correction or strata plan amendment [section 264(6)] ; and
- where a strata plan is phased, and the strata plan for the first phase was created under the old Condominium Act [Regulation 17.17]

Form 2 Schedules of Interest on Destruction

- where a strata plan is phased, and the strata plan for the first phase was created under the old Condominium Act [Regulation 17.17].

Fee Changes for Schedule Approvals

Effective July 1, 2003, the fee payable to the Superintendent of Real Estate for approving **each** schedule is \$200.

Rental Disclosure Statements

Under section 139 of the Act, a developer who rents or intends to rent one or more residential strata lots must file a Rental Disclosure Statement in Form J with the Superintendent of Real Estate prior to the first residential strata lot being offered for sale or conveyed without being offered for sale. The Act also contains provisions for filing amended Rental Disclosure Statements with the Superintendent of Real Estate.

New Fees for Filing Rental Disclosure Statements and Obtaining Copies

Effective July 1, 2003, the fee payable to the Superintendent of Real Estate for filing a Rental Disclosure Statement or an Amended Rental Disclosure Statement is \$150.

Effective July 1, 2003, the fee payable to the Superintendent of Real Estate for obtaining a copy of a Rental Disclosure Statement or an Amended Rental Disclosure Statement is \$38.

Schedule of Strata Property Act Fees Effective July 1, 2003

Service	Fee
Schedule Approval	\$200 per schedule
Filing a Rental Disclosure Statement or an Amended Rental Disclosure Statement	\$150
Obtaining a copy of a Rental Disclosure Statement or an Amended Rental Disclosure Statement	\$38

Examples of How the Schedule Approval Fee Applies

Type of Application	Schedule of Unit Entitlement Form V or Form 1	Schedule of Voting Rights Form W or Form 3	Schedule of Interest on Destruction Form 2	Total
Mixed Use Strata Development	\$200	No approval required	Not applicable	\$200
Strata Plan Amendment	\$200	\$200	Not applicable	\$400
Phased Condominium Act strata plan	\$200	\$200 if a voting schedule is required	\$200	\$400 to \$600 depending on whether a Form 3 is required
Strata Plan with unique schedule formulas	\$200 if Form V is based on unique formula	\$200 if Form W is based on a unique formula	Not applicable	\$200 to \$400 depending on whether one or both forms use a unique formula

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