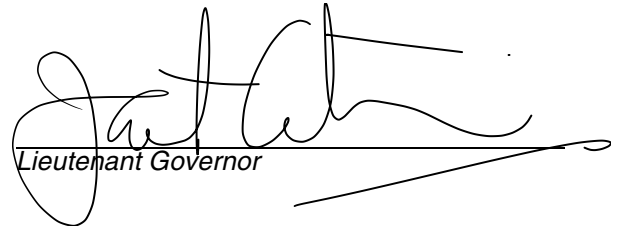


PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 204

, Approved and Ordered April 22, 2024



Lieutenant Governor

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that, effective July 1, 2024,

- (a) sections 4 and 12 of the *Municipal Affairs and Housing Statutes Amendment Act (No. 2), 2020*, S.B.C. 2020, c. 16, are brought into force, and
- (b) the Strata Property Regulation, B.C. Reg. 43/2000, is amended as set out in the attached Schedule.

DEPOSITED
April 22, 2024
B.C. REG. **88/2024**



Minister of Housing



Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: *Municipal Affairs and Housing Statutes Amendment Act (No. 2), 2020*, S.B.C. 2020, c. 16, s. 17
Strata Property Act, S.B.C. 1998, c. 43, s. 292

Other: OIC 130/2000

R10752311

SCHEDULE

1 *Section 4.1 (2) of the Strata Property Regulation, B.C. Reg. 43/2000, is amended by striking out “(h) and (n.1)” and substituting “(h), (n.1), (n.3) and (n.4)”.*

2 *Section 6.2 is amended*

(a) by adding the following subsection:

(0.1) For the purposes of section 94 (1) of the Act, “**qualified person**” means a person who

(a) has the knowledge and expertise to understand the individual components, scope and complexity of the strata corporation’s common property, common assets and those parts of a strata lot or limited common property, or both, that the strata corporation is responsible to maintain or repair, and

(b) in respect of a depreciation report obtained on or after July 1, 2025, is one of the following:

(i) a professional engineer registered as a member in good standing with the Association of Professional Engineers and Geoscientists of the Province of British Columbia;

(ii) a person registered as an architect with the Architectural Institute of British Columbia;

(iii) a person registered as an applied science technologist under the Professional Governance Act;

(iv) a person designated Accredited Appraiser Canadian Institute by the Appraisal Institute of Canada;

(v) a certified reserve planner accredited by the Real Estate Institute of Canada;

(vi) a person designated Professional Quantity Surveyor by the Canadian Institute of Quantity Surveyors. ,

(b) in subsection (1) by adding the following paragraph:

(g) an executive summary. ,

(c) in subsection (2) (b) (iii) by adding “ventilation, air conditioning,” after “heating,” and

(d) by repealing subsections (6), (6.1), (6.2), (7) and (8).

3 *The following sections are added:*

When depreciation report must be obtained

6.21 (1) In this section, “**specified area**” means any of the following:

(a) the Capital Regional District, other than an island within the Capital Regional District that is accessible only by air or boat;

(b) the Fraser Valley Regional District;

- (c) the Metro Vancouver Regional District, other than an island that is accessible only by air or boat.
- (2) Subject to subsections (3) to (5), a strata corporation must obtain a new depreciation report at least once every 5 years.
- (3) A strata corporation established before July 1, 2024 that has not obtained a depreciation report since December 31, 2020 must obtain a depreciation report
 - (a) before July 1, 2026, in the case of a strata corporation located wholly or partially in a specified area, or
 - (b) before July 1, 2027, in the case of a strata corporation located wholly outside of a specified area.
- (4) A strata corporation established on or after July 1, 2024 but before July 1, 2027 must obtain its first depreciation report no later than 2 years after the date of the strata corporation's first annual general meeting.
- (5) A strata corporation established on or after July 1, 2027 must obtain its first depreciation report no later than 18 months after the date of the strata corporation's first annual general meeting.

Exemption from requirement to obtain depreciation report

- 6.22** Section 94 (2) of the Act does not apply in relation to a strata corporation if and for so long as there are fewer than 5 strata lots in the strata plan.

Owner developer must make payment into contingency reserve fund

- 6.23** (1) If a strata corporation is established on or after July 1, 2027, the owner developer must, in respect of the strata corporation's obligation to obtain its first depreciation report, pay into the contingency reserve fund the lesser of the following amounts:
- (a) \$5 000, plus an additional \$200 multiplied by the number of strata lots in the strata corporation;
 - (b) \$30 000.
- (2) The owner developer must pay the amount set out in subsection (1) no later than the date of the strata corporation's first annual general meeting.