

Editor's note: Readers are encouraged to ask their most confounding condo questions to our resident condo specialist: Maria Bartolotti.

ASK MARIA

By Maria Bartolotti



As Seen in
Condo Living
Magazine

condoliving
HOUSING EXPERTS OFFERING BY CALIBRE

RENTERS BEWARE

Condo renters still have to abide by condo bylaws

Q • **The tenants of a rental unit in my condo are a constant source of complaint with their loud partying and pets running around without a leash. Is there anything the board can do to make them stop?**

A • Having troublesome neighbours can be a headache, but if your neighbour is just renting his condo unit, you do have some recourse.

My recommendation would be to read through the “use and occupancy restrictions” of your corporation bylaws. This will give you a good indication of what is or is not covered inside your unit.

The bottom line is that a renter in a condominium is responsible for the same rules and regulations that an owner living in a condo is responsible for. In fact, they are responsible for adhering to the bylaws of the condo, the Condominium Property Act (CPA) and the Residential Tenancies Act (RTA).

In my opinion, it is crucial for a tenant looking to rent a unit in a condo to first ensure that they understand exactly what it means to reside in a condo. They should familiarize themselves with the bylaws of the condominium prior to renting the unit.

It is also the responsibility of the condo owner renting out his place to educate the prospective tenant prior to moving in the condominium that there are rules that need to be followed.

There are condominium corporations that require a “tenant undertaking” to

be completed and signed by the owner and tenant. A tenant undertaking is an acknowledgement under the section 53(1) of the CPA, which among other things requires that the owner of a unit submit a notice to the condo corporation of their intention to rent out their condo unit. The corporation can also require owners to pay a deposit to the corporation for whatever damages their tenants may cause to common property.

Tenants should also understand that there are consequences if the rules and regulations are not followed. In a condo, the Board can evict a tenant if they do not follow the bylaws, they do not need to wait for the lease between the renter and their landlord to end, nor does a board have to ask for permission to end the tenancy in the condo.

As a tenant, you want to remember that when you rent a condo you are not just bound by the RTA but you are also bound by the Condo Property Act and the Bylaws of the condo.

To learn more about this topic visit:
The Alberta Tenancies Act: www.qp.alberta.ca/documents/Acts/R17P1.pdf and
The Alberta Condominium Property Act: www.servicealberta.gov.ab.ca/2068.cfm.

Until next time. **CL**



Maria Bartolotti A.C.C.I., F.C.C.I., is the owner-manager of New Concept Management Inc. She has developed a strong reputation for rendering timely and efficient services to the condominium industry. Maria believes that her company's success hinges on her hands-on approach to condominium management as well as maintaining open lines of communications with her clientele. Maria is actively involved in her industry. For more information, visit www.newconceptmanagement.com