

Blueprint Strata Management Inc.

Hardship Rental Application

Some things to consider before you apply for a hardship rental exemption:

- 1) You may already be able to rent – please examine the rental restriction bylaw of the strata corporation carefully. If it specifies a number of rentals that are permitted (more than zero), check with your strata manager to find out how many rentals there currently are, and if it is under the limit, you may be able to rent by simply submitting a letter requesting permission.
- 2) You may already be able to rent - Section 142 of the Act permits the rental of a strata lot to family members, which are defined as:
 - a. the spouse of an owner,
 - b. the parent or child of an owner
 - c. the parent or child of the spouse of an owner.
"spouse of the owner" includes an individual who has lived and cohabited with the owner, for a period of at least 2 years at the relevant time, in a marriage-like relationship, including a marriage-like relationship between persons of the same gender.
- 3) You may already be able to rent – Section 143 of the Act provides exceptions for owners that have purchased a unit that has been designated as a rental strata lot on a Rental Disclosure Statement. There are a couple of different scenarios, please contact your strata manager if you believe you may qualify under this section of the Act.
- 4) If after you have explored your options under items 1 through 3, you still feel you need to apply for a hardship rental, you need to be prepared. You are applying for an exception to a bylaw passed by $\frac{3}{4}$ of the owners at a General Meeting, and so this exception cannot be granted lightly - there is a high burden of proof on you. For some perspective, consider that the courts have held that the inability to sell your unit, by itself, is not sufficient grounds for a hardship exemption. The definition of "hardship", as recognized by the courts, is "a hardness of fate or circumstances; severe toil or suffering; extreme privation".

Applying for a hardship rental will require providing copies of your financial records to the strata corporation, especially if you are appealing on financial hardship grounds. The Personal Information Protection Act applies to your application and supporting documents. Your information will not be released to any other party without your expressed written consent and will be destroyed after 1 year, or whenever the council no longer needs to reference the material.

The council will publish minutes of its decision, and reference you by strata lot number in the minutes, including only whether a hardship rental has been granted, and the length of the exemption.

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Hardship Rental Application Form

In order for the council to make a decision on this issue, please attach as many as possible of the following that relate to your application. If you do not provide sufficient information and supporting documents, the council may not be able to make a decision and therefore your application will not be approved.

Name: _____ Tel: _____ Email: _____

Building: _____ Strata Plan: _____ Cell: _____

Unit # _____ Strata Lot # _____ Address _____

Please describe for the council the reason you think an exemption to the bylaw should be (please attach separate sheet if required): _____

Do you request a hearing of council to discuss your application? Yes No
(If a hearing is requested, one will be scheduled within 4 weeks of the receipt of this request, and the council's decision will be sent to you within one week following the hearing. If you do not request a hearing, the council will provide its decision within 2 weeks of receipt of this application.)

The following documents should be submitted by both you and your spouse, and all owners of the unit:

- 1) Copy of a current title search showing the owners on title and the type of ownership. Must be current within 14 days.
- 2) Fully prepared Income and Expense Statement and Balance Sheet (formatted, use Excel or Open Office if possible)
example: <http://www.prelovac.com/vladimir/personal-financial-statement> or see attached
- 3) Supporting Documents for above e.g.:
 - a) Last 3 pay stubs verifying your income or letter from your employer
 - b) Notices of Assessment for the two previous tax years
 - c) Bank / Mortgage / Loan Statements showing current balance(s) and payment amount(s)
 - d) Financing Agreement for Vehicle, showing your payment amount and # of payments remaining
 - e) Letter or other evidence from your landlord confirming your monthly rent payments
 - f) Most Recent Property Tax Assessment of your unit, estimated sales price by licensed realtor
 - g) Estimated Rental Income from renting out your unit.
- 4) All of the documents referred to above should be originals or certified true copies notarized by either a notary or a lawyer.