



SAMPLE BYLAW VIOLATION LETTER

[Name]
[Address]
[Strata Plan]

April 1, 2008

Dear [Name]

RE Nuisance Complaint about Second-Hand Smoke

The strata council has directed our office to advise you that we have received several written complaints in regards to the level of cigarette smoke coming from your [suite number] at the [name of building].

Provide the particulars of the complaint(s), such as date(s), time(s) and the conduct giving rise to the complaint(s). If the person is a tenant, give notice of the complaint to the person's landlord and to the owner.

By allowing this to happen, you are in contravention of the British Columbia Schedule of Standard Bylaws of the Strata Property Act Division 1 Section 3(1) which states:

An owner, tenant, occupant or visitor must not use a strata lot, the common property or common assets in a way that:

- (a) Causes a nuisance or hazard to another person,
- (b) Causes unreasonable noise, and
- (c) Unreasonably interferes with the rights of other persons to use and enjoy the common property, common assets or another strata lot.

Please provide our office with a response to each of the above complaints within 10 working days. Please be advised that if requested, you can present your position at a hearing before Council.

If there is evidence to determine that the Bylaws have been violated as a result of a nuisance caused by second-hand smoke, and the situation is not rectified, we will initiate enforcement proceedings. Enforcement remedies could include the levying of fines, in accordance with the Strata Property Act Division 4 Section 23(a) which states "The strata corporation may fine an owner and/or tenant a maximum of [\$ 00.00] for each contravention of a bylaw," and Section 24 which states "If the activity that constitutes a contravention of a bylaw continues, without interruption, for longer than 7 days, a fine may be imposed every 7 days."

On behalf of your Strata Council we thank you for your immediate attention to this matter.

Yours truly,
Strata Property Manager
cc Strata Council, [Strata Plan Number]

For more information, visit www.smokefreehousingbc.ca