

Alberta's Bill 30 Explained: What It Means for Condominiums

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L A W Y E R S



Bill 30

- On November 4, 2024, The Government of Alberta introduced Bill-30 to amend the *Condominium Property Act*.
- Bill 30, the *Service Alberta Statutes Amendment Act*, received Royal Assent on Dec. 5, 2024.
- The changes are in force as of February 15, 2026.
- *Condominium Dispute Resolution Tribunal Regulation* was created as of February 26, 2026.
- The Bill includes several substantial updates to the existing condominium legislation. Key changes include:
 - Establishing a Condominium Dispute Resolution Tribunal;
 - Clarification on what can be considered contributions;
 - Requirement for notice of proposed chargeback to be provided to Owner;
 - Protections for Board members for actions brought against them personally for actions or omissions undertaken on behalf of the Condominium;
 - Changes to voting procedures at general meetings; and
 - Various other clarifications and updates.

Condo Dispute Resolution Tribunal

- Disputes arising on or after February 15, 2026 may be submitted - began accepting cases in April 2026.
- Initially jurisdiction will be limited to:
 - Access to condominium records and documents;
 - Sanctions imposed under bylaws; and
 - Matters relating to general meetings (including Annual General Meetings and Special General Meetings).
- Filing fees:
 - \$150 to file Application;
 - \$150/4 hour block if mediation exceeds 4 hours allowed; and
 - \$350 if matter proceeds to adjudication.
- Annual Service Fee of \$9/Unit, including parking and storage Units to start December 31, 2026

Condo Dispute Resolution Tribunal

- Tribunal will not be bound by the Rules of Evidence.
- All communications between the parties to the dispute must be made directly to the Tribunal.
- Any party to a dispute can file an application with the Tribunal:
 - If dispute is filed first in Court, then cannot later be filed with the Tribunal for the same dispute; and
 - If dispute is heard by the Tribunal, then cannot be filed in Court after.
- 1 year Limitation Period.
- Tribunal can dismiss applications, upon request by a party, if they are frivolous, vexatious, without merit or made in bad faith.
- Tribunal must provide at least 10 days notice to all parties before any proceeding.

Condo Dispute Resolution Tribunal

Currently the Gov't is notifying participants by way of email from "Government of Alberta cdrt.noreply@gov.ab.ca" with the body of the email looking like:



Request for participation in CRDT dispute

You've been invited to participate in an application using the Condominium Dispute Resolution Tribunal's secure online system.

XXXXXX

You'll be asked to log in or create an account. After that, you can review your role and confirm whether you'd like to accept the invitation.

Note: You have 5 business days to respond to this invitation. If you do not respond in time, the tribunal process may proceed without your input.

Thanks,
CDRT team.



This email was sent from the Government of Alberta and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are address

Contributions

39(1) A board may, by resolution, determine from time to time the following to be levied as contributions:

(a) for the purposes of the operating account and the reserve fund, amounts levied on the owners at regular intervals

(i) in proportion to the unit factors of the owners' respective units, or

(ii) subject to the regulations, and if provided for in the bylaws, on a basis other than in proportion to the unit factors of the owners' respective units;

(b) amounts levied against owners as chargebacks under [section 39.01](#);

(c) a special levy in accordance with [section 39.1](#).

(2) Subject to the regulations, a contribution may include reasonable and relevant administrative costs and legal fees, including expenses and interest, incurred by the corporation.

(3) A contribution shall not include

(a) any amount for the purpose of collecting from an individual owner a monetary sanction under a bylaw made under [section 35\(1\)](#), or

(b) any other prescribed amount.

Chargebacks

- Regulation (“absolutely liable”) vs CPA language (“act or omission”):

S.39.01(1) CPA: “.... If provided for in the bylaws, a chargeback may be levied on an owner to recover the corporation’s costs when an act or omission by the owner or an occupant, or a person or persons for whom the owner or occupant is responsible, requires the corporation to repair, replace, maintain or protect any unit, real and personal property of the corporation or common property affected by that act or omission...”

- The amount that can be charged back is the lesser of:
 - The amount of action costs and reasonable related service costs; and
 - The deductible limit of the insurance policy held by the corporation.
- Do not need to file an insurance claim.
- Must have the appropriate language in your Bylaws to make use of this section.
- Owner has a right to dispute a chargeback levied.

Chargebacks

- Notice of Proposed Chargeback:
 - Must serve a notice of proposed chargeback no later than 90 days after “the board becomes aware, or in the circumstances ought to have become aware”.
 - Must include:
 - Name and Unit Number of the Owner against whom it will apply;
 - Date of and description of the act or omission;
 - Estimated amount; and
 - Deadline for Owner to provide written response (which must be at least 10 days* past when the notice was sent).
- After the Notice of Proposed Chargeback, the Board must wait until the Owner responds or the deadline for a response expires. The Board can then levy a chargeback if it chooses by passing a board resolution.
- To formalize the chargeback must have Board resolution after the deadline for a reply.

* this is 10 days excluding holidays, and Sundays count as holiday. We recommend erring on the side of caution and providing at least 14-15 days to respond

Chargebacks

- Statement of Chargeback:
 - Following the Board resolution being passed to issue the chargeback, a Statement of Chargeback must be served on the Owner.
 - Must include:
 - The amount of the chargeback;
 - Instructions on how to pay; and
 - The deadline for payment.
- No prescribed timeframes for this - but remember the *Limitation Act*.
- Owners may appeal the chargeback to Court but this must be done within 30 days of the Statement of Chargeback.

Board Member Protections

Application to Court

(30) Section 67 is amended by adding the following after subsection (3):

(4) Where an action brought against a member of the board for damages caused by an act or omission of the member acting on behalf of a corporation does not result in a judgment against the member, the Court may award costs on a solicitor-and-client basis in favour of the member.

(31) The following is added after section 68:

- Where an action is brought against a member acting on a board, and the board member is held **not** to be liable, then the court may now award **enhanced costs** in favour of that member.
- This imposes a potential penalty on anyone who brings meritless or unnecessary claims against those sitting on the board of a condominium.
- If an owner brings a frivolous claim against a Board member, the cost consequences are higher.

Voting at General Meetings

- Has changed the default voting method for “owner vote”.
- “owner vote” now means one vote per owner (unless otherwise stipulated in your Bylaws).
 - If there is more than one owner - each owner gets one vote; and
 - If an owner owns more than one Unit - they only get one vote.
- Voting at a General Meeting will now be “owner vote” (unless otherwise stipulated in your Bylaws) or unit factor vote.
- Any Owner can still request a unit factor vote be held.
- A corporation may now cast a vote in a Special Resolution for any Units held by the CC, and the vote shall be in accordance with the majority.
- Bylaws may need to be reviewed and potentially revised.

Other clarifications and updates

- **Technical Audits/Analysis**
 - Mandatory technical analysis must be prepared within 4 years from date of occupation of the first Unit.
 - Condominium corporations should:
 - Budget early for this requirement;
 - Calendar compliance deadlines; and
 - Ensure reserve planning aligns with technical findings.
- **Information Statement:**
- Two additions to what must be included in the information statement:
 - Statement detailing the nature of any plan of survey filed or registered on the parcel, other than the condominium plan; and
 - Statement setting out the unit factors and the criteria used to determine unit factor allocation.
- **Estoppel:**
- Must now also include “any other information required by the regulations”
 - s. 73.93 - an estoppel must include information on any proposed chargeback to be levied against the owner of a unit under section 39.01 of the Act

Key Takeaways - Responsibilities for Condos



- New Condo Dispute Resolution Tribunal that will handle disputes - Boards should expect increased scrutiny
- Consider the potential budget impacts - including \$9 per Unit yearly for the Condo Dispute Resolution Tribunal
- Review Bylaws - Owner voting and chargeback language
- Increased procedural formality - become familiar with updated chargeback process requirements

Questions?

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