

Consultation on Rethinking Strata Leaseholds — Background

The British Columbia Law Institute (BCLI) is BC's independent law reform agency.

BCLI has published its ***Consultation Paper on Rethinking Strata Leaseholds***, which sets out 23 tentative recommendations for reforming Part 12 of the *Strata Property Act*, and [we want to hear from you](#). Do you agree with the proposed law reforms? Do you have any concerns or other suggestions?

What Are Strata Leaseholds?

Most people who purchase a strata lot own it outright, as a *freehold* or *fee simple* interest. A strata leasehold works differently. The buyer purchases a long-term *lease* of the strata lot (commonly for a fixed term of 60 to 99 years) while the landowner keeps ownership of the underlying land and regains possession when the lease ends.

Strata leaseholds are governed by Part 12 of the *Strata Property Act*, much of which has seen little scrutiny since leasehold stratas were first introduced in the 1970s.

Why This Matters

The moment is right to modernize the law governing strata leaseholds:

- **A growing model:** Governments, universities, and First Nations are increasingly using strata leaseholds to build housing.
- **Aging leases:** Early developments like Vancouver's False Creek South are nearing expiry, raising real and pressing questions about renewal, valuation, and what happens at the end of the term.
- **Consumer protection:** Because key rights can depend on complex, variable lease terms, buyers may not fully understand what they are acquiring. Greater clarity and standardization reduce risk and the possibility of conflict.
- **Reconciliation:** The current framework allows only certain First Nations to act as leasehold landlords, leaving many unable to use the model to deliver housing on their off-reserve fee simple lands.

The focus of the Consultation Paper is not whether strata leaseholds should exist, but whether the legislative framework governing them still works well, and how it can be made clearer, fairer, and more predictable for everyone involved.

What Reforms are Being Proposed?

BCLI's tentative recommendations do not call for a fundamental overhaul of British Columbia's current legislative framework. Instead, they aim to clarify, refine, and strengthen the existing framework.

The main issues are summarized below. These are paraphrased and do not include every tentative recommendation being made. Please read the Consultation Paper for the complete set of 23 tentative recommendations.

Who can be a leasehold landlord	Keep restrictions on who can act as a leasehold landlord and the Province should consult First Nations on extending this role to non-treaty First Nations.
Clearer, standardized leases	- Introduce a standard form lease or mandatory lease terms so buyers better understand what they are purchasing. - Require all leases in a development to share the same term and be prepaid.
Fairer lease modifications	Require lease changes to be made collectively, with both landlord approval and an 80% supermajority of leasehold tenants, rather than through individual negotiations.
Approaching the end of the lease	- Give leasehold tenants a statutory right to reject renewal (by a 3/4 vote), with renewal or termination applying to all units collectively. - Extend both the minimum notice period and minimum renewal term to 15 years.
Transparent lease-end payments	Require each lease to clearly state up front what payment leasehold tenants will receive at the end of the lease (whether nothing, a set formula, or another disclosed method).

How to Participate

Your feedback can help to shape BCLI's final recommendations. Responses that agree, disagree, or offer general observations are all welcome. To be considered in the project's final report, responses must be received by **20 November 2026**.

Responses may be sent in any one of three ways:

- **by email:** consultations@bcli.org
- **by online survey:** www.surveymonkey.com/r/bcli-strata-leaseholds
- **by regular mail:** 1822 East Mall, Vancouver, BC, V6T 1Z1