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Legislation News

## Alberta court ruling pulls Airbnbs from condos

📅 5th March 2020 👤 Miles Hurley 📍 Airbnb, Alberta, condo, court, ruling

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**Canada: An Alberta court has ruled that Airbnb’s offerings cannot operate in a block of condominiums.**

This may give legislators wide powers over how to control these offerings due to their similarities to hotels.

The ruling was in response to an [Edmonton condominium board banning short-term rentals](#) in its buildings. It said that due to an existing bylaw forbidding commercial activity in condominium properties, boards across the city can remove short-term rentals without adding additional rules.

Erin Berney, condo board attorney, said: “What the decision stands for is that you do not need a specific bylaw targeting Airbnb and short-term accommodations in order to validly restrict or prohibit them. You do not need to go out and pass new bylaws, which is difficult to do in ordinary circumstances.”

Several units had been listed on short-term rental websites, and owners refused to take them down after warnings were sent. This prompted the board to take these owners to court.

Neighbours had complained of people coming in and out of the property, complaining that the experience was like living in a hotel. Alberta Judge Paul Belzil agreed, claiming that because Airbnb guests license the rooms in a commercial transactions, operators were essentially running small hotels.

He added: “This would result in a small minority of unit owners unilaterally changing the character of the condominium regime, thus adversely affecting the majority of unit owners, without their consent.”

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Previous cases involving short-term rentals and Condo boards have fallen in favor of the boards. This case may set a precedent going forward.

In response, Airbnb told the *Globe and Mail* that it expects users to follow local laws, though did not specifically mention the case. The ruling also dictated that Airbnb guest violated the type of people allowed to inhabit a condominium.

Airbnb recently restricted property rentals to over-25s as a result of a shooting in Toronto, piloting a regulation that may become commonplace worldwide.

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