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**ANNOTATED BRITISH COLUMBIA
OCCUPIERS LIABILITY ACT**

Eric Wagner

Release No. 49, December 2018

This handy research tool contains a number of features to help you work with the Act more effectively. Inside you will find: the annotated Act; Table of Concordance — for the *Occupiers Liability Act*, R.S.B.C. 1979, c. 303, and R.S.B.C. 1996, c. 337, with amendments listed for quick reference; Annotations; Synopses; Appendices which contain other related Acts and valuable guides; Checklists; and a Table of Cases.

What's New in this Update:

This release features updates to the case digests under the *Occupiers Liability Act*.

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Highlights:

In this update, we see an unusually large number of claims against stratas. In all such cases, prior knowledge was in issue. This knowledge was assessed, in part, by way of reference to documents kept by the stratas. With this in mind, those who represent stratas should remind their clients of the need to keep good records, especially good Strata Council meeting minutes. Those claiming against stratas should review the documents.

- *Ehizode v. Ivanhoe Cambridge II Inc. et al.*, 2018 BCPC 17, considers a fitness facility's release and an injury due to equipment failure. The release was found to be an effective bar to the action.
- *Sapia v. Invermere (District)*, 2018 BCSC 1145, is unusual in that the reasons contain quotations from examination for discovery.