



Erin Berney (She/Her)

Partner

in 

Edmonton
2500 - 10175 101 ST NW
Edmonton, AB T5J 0H3
T 780-429-7856
F 780-428-9329
eberney@fieldlaw.com

Alma Corado
Legal Assistant
T 780-643-8755
F 780-428-9329
acorado@fieldlaw.com

Overview

Erin Berney has extensive experience in all manner of residential and commercial condominiums, from traditional, bare land and phased-style development, to “barely blended”, duplex, mixed use, and rural developments, including foreign ownership issues. She has successfully litigated various matters on behalf of condominium corporations, unit owners and property management companies alike, including a precedent setting decision on short-term rentals in Alberta.

She has owned a condominium in the Oliver neighbourhood of Edmonton since 2005, and has served on her Board of Directors as Treasurer, Secretary and Chair of the Bylaw Review Committee. She is currently on the Board and serves as the Privacy Officer. This experience gives her unique insight and invaluable knowledge and experience that she can bring to her clients. She enjoys advising and assisting condominium corporations, developers, managers, boards, owners and tenants and helping them learn more about their rights and duties. Her focus is on education and trying to solve problems outside of court first and foremost, and she believes that this helps contribute to the overall goal of condominiums which is achieving fairness among all the owners.

Erin maintains a broad legal practice that includes general civil litigation but focuses on condominium law in Alberta, and in particular she has experience with the following:

- Bylaw reviews, drafting, interpretation, amendments, and enforcement
- Borrowing/loans and security
- Property management, contract drafting and agreement reviews
- Collection of condominium fees, charge-backs and fines
- Foreclosures, liens, caveats, and priority disputes
- Builder/developer/construction deficiencies
- Tenancy-related issues and evictions
- Leases, licenses and transfers of units/common property/common property units
- Insurance claims
- Privacy, video surveillance and security policies
- Procedural issues and corporate governance
- Planning, development and Land Titles Office registrations
- Short-term accommodations and other uses

Services

Business
Condominium
Real Estate
Litigation

Education

University of Alberta, 2012, Juris Doctor
University of Alberta, 2006, Bachelor of Arts

Admissions

Alberta, 2013

Before venturing into the field of law, Erin was a graphic designer at the Edmonton Journal newsroom for 10 years, and she managed the Canadian Literature Centre at the University of Alberta for four years, both of which she continued doing full-time through her three years of law school. She was also a student editor for the Alberta Law Review and was responsible for maintaining and updating its website.

Outside the Office

In her spare time, she enjoys reading a good book, playing golf, piano and guitar, and spending time with family, friends and her cat Quincy in her downtown condo.

Experience

Duperron v Condo Plan No 792 2641, 2022 ABQB 436

Condominium Corporation No. 042 5177 v Kuzio, 2019 ABQB 814

Professional

Canadian Condominium Institute (North)

Member

Condo Owners Forum

Member

Canadian Bar Association

Community

Volunteer, Queen's Bench Amicus Court Assistance Program , 2017-2017

Civil Claims Duty Counsel Volunteer, Pro Bono Law Alberta, 2012-2017

Fundraising Volunteer, Edmonton Community Legal Centre

Client Stories

Application to Prevent Condo Unit Owners Offering Short-Term Accommodations

Field Law brought an application on behalf of a condominium corporation in Edmonton for an interim injunction to prevent unit owners from offering short-term accommodations. The corporation alleged that:

1. Unit owners had listed their respective units on short-term accommodation websites such as Airbnb and HomeAway, and
2. Permitted members of the general public to occupy their units on a short-term basis in exchange for payment.

The unit owners did not deny these claims and the Court ultimately determined that the unit owners violated the bylaws imposed by the corporation.

As a result of this case, condominium boards in Alberta now have legal authority on which to pass bylaws that prohibit, restrict or regulate the operation of units as short-term accommodations. On this basis, they can enforce existing bylaws against unit owners who are operating Airbnbs in their condos.

Media

Globe and Mail: [Alberta court rules Airbnb rentals are like hotels, makes it easier for condo boards to ban them](#)

News + Views + Events

May 10, 2024

People, Pets + Parking: Sustainable Practices in Condo Management

March 15, 2024

People, Pets + Parking: Balancing Reserve Funds + Repair Responsibilities

December 8, 2023

Navigating Mental Health Challenges in Multi-Housing Communities

November 17, 2023

People, Pets + Parking: A Potpourri Q+A Session for Property Managers

September 15, 2023

People, Pets + Parking: Board Member Duties + Dealing with Dysfunction