

RETURN TO THE BASEMENT 2012

A few years ago, an article appeared in MREAction regarding the advertising of bedrooms in basements. This is still one of the most common questions MREA receives today. To clarify here are some points you should keep in mind when advertising:

- If a room in a basement cannot legally be described as a bedroom because it does not meet the requirements for window size, etc. as outlined in the City of Winnipeg's brochure [*Basement Development*](#), then it should not be represented in advertising as a "bedroom" in the description of number of bedrooms. Describe it as an office or something other than a bedroom.
- If the "bedroom" in the basement met the codes of the day when the home was built (and more importantly when the bedroom was constructed); that is, a building permit was obtained and the basement development was inspected, it CAN continue to be used and advertised as a "bedroom".
- If the basement was ever renovated after initial construction, and a permit was obtained at the time of renovation and the renovations were inspected, the room CAN continue to be called a "bedroom".
- If the basement was developed to include a bedroom and a permit was **not** obtained, then according to the City of Winnipeg Planning, Property, and Development Department, the current requirements as outlined in the brochure *Basement Development* apply regardless of when the bedroom was constructed – that is, if the window size does not comply with the requirements, there can be no bedroom.

Note that as stated in the brochure, you must be able to open bedroom windows in basements from the inside without the use of tools and they must have a minimum unobstructed area of 23.3 inches by 23.3 inches or 15 inches by 36.2 inches.

If you are not sure if the basement has been renovated with a permit or if a basement bedroom complies with regulations, caution is advisable as the listing agent and seller can face a claim for misrepresentation if they have advertised a room as a bedroom and it can no longer be used as such.

If the seller is confident that the bedroom was constructed with a permit and an inspection by the City of Winnipeg, or that a permit was obtained for any renovation, then you can safely proceed to represent the room as a "bedroom".

For those practitioners **outside the City of Winnipeg**, it is important to check with your local municipal office what the requirements are for basement development.