

Strata Living

Headline: Who picks up the bill?

Topic: Bylaws; Types

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Hello Tony, My family and I live in a townhouse (1 of 6) which are part of a 2 tower condo unit. The townhouses are not physically attached to the condo towers, but instead are situated right between them. The condos and townhouse units all pay the same strata fee/sq. ft., however, the town homes do not receive many of the services that the condos do. The town homes have their own hot water tanks and have to pay for their own hot water and maintenance of the tanks, in addition to paying to heat the water in the central boiler and maintain the boiler that services the condos. So essentially, we are paying for hot water and the boiler/water tanks twice. In addition to this, we pay for maintenance and operation of the elevators which have no benefit for the town home owners. There is also the janitorial service we help pay for and get no benefit from.

Is there any way we can get a reduction in strata fees to exclude the portion that go to the central boiler, central hot water, emergency generator and elevators since the town homes cannot make use of these services? Many thanks,

Chris

Dear Chris: Easy answer, but daunting solution. If the strata corporation agrees to a bylaw amendment, the strata corporation can adopt a "types" bylaw that permits the exclusive annual operating expenses

allocated to only 1 type of strata lot(s), to be allocated exclusively to only those strata lots based on their respective unit entitlement. For example, the bylaw would identify the type of strata lots, those being the high rise condos, and identify exclusive operating expenses of those types, the hot water and boiler operations and service, elevator service, and janitorial services. The condition is that the expense must be exclusive, and it only applies to annual operating, not the replacement of the elevator or boilers for example. All of this takes the willingness of the corporation to adopt a types bylaw.

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