



Strata Living

Headline: Who controls parking?

Topics: Parking

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Dear Tony: My strata council have taken away my parking space and given it to another owner with 2 cars. I do not have a car, but my daughter comes twice a week to take me for groceries and help me manage my condo. The council have rented out all the visitor parking, and we do not have a loading area. I requested my parking space back but council have refused unless I was prepared to pay \$100 a month for the parking. Only the seniors in our building are being targeted by the council.

use and allocation of common property and the enforcement of bylaws and rules.

Jean W.

Dear Jean: The use and enjoyment of common property in any strata corporation is determined by the bylaws and rules of a strata corporation. I have obtained a copy of your rules and bylaws and your bylaws specifically allocate 1 parking space for each strata lot. Owners and tenants may rent additional parking spaces at a rate of \$25 per month if it is available. The strata council does not have the authority to remove your parking space or charge you for a parking space because your bylaws guarantee a space for each unit, and do not require that the parking spaces be fully occupied by the owner or tenant.

Whenever owners are in doubt about the use and allocation of common property, I recommend they review the bylaws and rules of their strata, and if in doubt request a hearing that is mandatory under the *Strata Property Act*. The strata must hold the hearing within 4 weeks of receiving the request and if the purpose of the hearing is to seek a decision of the council, the council must give the applicant a written decision within one week after the hearing. Owners and tenants may file a claim through the Civil Resolution Tribunal (CRT) to address issues that relate to the fair