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## Strata Living

Headline: Ignoring repairs is no solution

Topics: Repairs & Maintenance

Publication / Date: 24 Hours, Feb 23, 2017

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**Dear Tony:** Our strata is a smaller 6 unit townhouse complex constructed in 2003. All 6 units are attached in one way or another and everyone has a single car garage. We are starting to have some issues with our decks that are covering over the space of the townhouses, which may be ours or our neighbours. Our council president, who owns the largest unit, is insistent that each owner is responsible for the decks that are for our exclusive use as they are limited common property, but it is more complicated than that. In two of our units we have 1 large deck divided by a partial wall, and if one side of the deck is replaced everything has to be replaced at the same time. Now our owners are divided. We need a special levy to pay for repairs and we cannot pass a 3/4 vote to approve the construction or the repairs.

*Mark B. Burnaby*

**Dear Mark:** Building exterior repairs in strata townhouses, apartments and high rise building are almost always the responsibility of the strata corporation. The logical reason is to ensure a coordinated result that benefits all owners, while at the same time the standard bylaws, and your strata bylaws, only require owners to perform custodial work on your decks. Your only obligation as individual owners is to clean your deck areas routinely. Both the Standard Bylaws of the *Strata Property Act* and your registered bylaws indicate for limited common property, that repairs which occur less than once a year, including any repairs to decks, balconies, stairs, chimneys, gutters, doors, windows and vents, must be repaired or replaced by the strata corporation. This means all 6 owners share the common cost based on your registered unit entitlement, which in your case is determined by the size of your strata lots. Whatever

you do, don't delay repairs that affect deck or balcony membranes. The potential risk for damage to the building structure is high and your costs will balloon if you delay to the point of building damages. If your owners cannot agree to the repairs, any owner may consider an application to the Civil Resolution Tribunal who can order the repairs, the cost, the levy and the time period of construction. For a minimal cost your owners now have access to an affordable online dispute resolution system that provides results in a short period of time. For more information go to:

[www.civilresolutionbc.ca](http://www.civilresolutionbc.ca).