Condominium Home Owners' Association of British Columbia
Leadership, Education and Resources for strata owners across BC
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Strata Living

Headline: Alterations requests
Topics: Alterations
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Written by: Tony Gioventu

Dear Tony: Do buyers have any rights? We live in Saskatchewan and are wanting to purchase a condo in a building that is close to a therapy facility for one of our family members. The building is perfect but we will need to widen the entry door to the unit to accommodate a large wheel chair. We have asked the strata council to give us permission at our cost if we purchased, but they have refused to respond to our request or grant us a hearing. Timing is an issue so we were hoping you have some suggestions.

Grant Carstairs

Dear Grant: The strata corporation must hold a hearing within 4 weeks if it is in writing stating the reason for the hearing and request by an owner or tenant. The strata corporation does not have an obligation to respond to or conducts hearings for potential purchasers; however, there is nothing preventing the owner/seller of the strata lot from requesting a hearing to address the matter and seek permission for the alteration. Because the change is a doorway that faces onto common property, it will require a written request to alter common property. The strata corporation may impose a number of conditions that would relate to use, appearance, construction and current and future costs. Depending on the bylaws of the strata corporation such alterations may also be restricted. Accommodation and the intent to accommodate are both provisions that may be considered under the Human Rights Tribunal. If there are special accommodation needs that require alterations, they may apply to an occupant or a potential occupant. I would recommend that both the strata corporation and the owner consider legal advice before the application and approval of the alteration is considered. If the strata corporation is not holding a hearing for the current owner or is not applying their bylaws fairly, the owner may consider an application to the Civil Resolution Tribunal.