

Condominium Home Owners Association

A non-profit association serving strata owners since 1976

Bulletin: 300-004

Condo Smarts

Headline: Get written permission before any fix-it projects

Topic: Alterations to common property

Publication date: November 29, 2002

Publication: The Province

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During one long weekend this fall, a Fraser Valley strata council was astounded to discover that an owner has installed a new skylight window into his unit. The owner, without asking permission, had taken a power saw, cut a hole in the newly completed \$80,000 roof, and installed a window from the local hardware store.

The ensuing damage to the new roof may now jeopardize the warranty. Plus, the situation has created a major conflict in this condominium and significant costs to all of the parties. The other owners were appalled at this violation of the bylaws, while the owner in question believed the skylight was within his right to install. The conflict continues and may lead to arbitration or court action on behalf of the strata. The council gave the owner 30 days to remove the skylight and restore the roof to the satisfaction of the council, warranty provider and roofing company – at his own cost.

Strata Law: Before any changes are made to the structure of the strata lot or common property, an owner must obtain written permission from the strata council. In many cases, building permits are required for structural changes to the building components. The strata corporation may also require that an owner agrees, in writing, to take responsibility for repairs and alterations.

For a major alteration or significant change in the use of appearance of the property, the strata corporation may also require a general meeting of the owners and a vote to allow for the alteration.

Tips: In a strata, always get permission first, never beg forgiveness after the fact. Many unfortunate incidents can be avoided by owners asking questions and the council simply informing owners.

Strata councils should frequently remind owners of special circumstances and bylaws of concern, in the circulated minutes of meetings. These minutes can provide an excellent info service for owners and residents.

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