

Condominium Home Owners Association

A non-profit association serving strata owners since 1976

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Condo Smarts

Headline: Bare-strata land great – if you're aware of it

Topic: Bare land strata

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Some suburbs seem like normal subdivisions, but are they?

People in a neighborhood in Delta had a rude awakening in their subdivision over a street accident, partly attributed to failed street lights and overgrown hedges. Each home in the subdivision seems to be on its own city lot but the subdivision is actually what is called a bare-land strata.

As the owners purchased they were told it was just like "having your own home in the city", so no one ever gave this a second thought.

Much to everyone's surprise, the streetlights that had failed were not the responsibility of the municipality. The strata, to which nobody had acknowledged they belonged, was responsible. No owners had ever paid strata fees and no council had ever been elected. Now they are facing a lawsuit, with no insurance.

Strata Law: Bare-land stratas function the same way as most condominiums and town houses, they just look different. They are a popular choice as buyers often prefer the idea of individual housing over strata. The big difference is the boundary of the strata lot, and who pays for the maintenance, repairs and insurance of

buildings. The bare-land strata lot is established by the measured boundaries of an area of land, not the walls, roofing or ground levels. A bylaw can require the strata corporation to maintain and repair certain parts of the strata lot, but generally no such bylaw is in place so owners are responsible for their buildings. The common property and assets - roadways, landscaping and recreation facilities - must be maintained and repaired by the strata. This also includes insurance.

Tips: Bare-land stratas have many benefits. Owners can share recreation facilities and maintenance services, increased security and lower operating costs, while still maintaining their own home. But in every other respect, it is still a strata property. The legislation and bylaws still apply. Check before you buy.

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