

# Condominium Home Owners Association

A non-profit association serving strata owners since 1976

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## Condo Smarts

Headline: Parking rules must be clear to avoid any congestion

Topic: Parking

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The most common problems in any strata are the Five P's: people, parking, pets, prostitution and pot. Parking is an almost daily frustration of many condo owners, councillors and managers.

A recent visitor to a strata complex in Coquitlam discovered after an evening visit to her daughter that her car had been towed away. It was parked in the designated visitor's area, clearly marked at the building entry. There was no notice of times or other parking restrictions, other than a sign that stated "unidentified vehicles towed at an owner's expense". The resident manager advised her that the rules prohibit parking of unidentified vehicles in the visitor area for more than two hours. The owner was faced with a cab fare and a \$129.00 towing charge. Her daughter is now disputing the action, alleging that the strata had no right to remove the unidentified vehicle.

**Strata Law:** To simplify parking disputes many strata buildings adopt simple, direct rules and bylaws relating to parking. The Act clearly grants the strata the right to establish rules and bylaws for the use of common property and common facilities. Under the remedies of a contravention, the act also allows for the removal of objects from the common property or common assets, and the authority to do what is reasonably necessary. If a visitor contravenes a bylaw or rule,

an owner may be fined for the infraction.

Owners are responsible for their visitors' actions on the strata property.

**Tips:** Parking in congested neighbourhoods is a crisis for many strata corporations. Frequently fire lanes, emergency exits, and other owners' parking are blocked by a violating party. Strata councils should review their bylaws and signage to insure they have the authority to remove a vehicle in violation.

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