

Condominium Home Owners Association

A non-profit association serving strata owners since 1976

Bulletin: 300-038

Condo Smarts

Headline: BBQ use is clear, candlemakers must pay up

Topic: Insurance and the use of a BBQ

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Written by: Tony Gioventu

Because many apartments and condos are not air conditioned, strata owners often seek the refuge of their decks and balconies during the hottest time of the year, and use their propane barbecues for heating surfaces. However, things got out of control recently in a Vancouver apartment where some creative types decided to get a jump on Christmas and make candles during the summer heat. They used the barbecue to heat the wax pot. Unfortunately, the pot had a pinhole leak only apparent once the wax was melting. In moments, the barbecue was spewing flames. They shut off the gas tank and doused the fire with an extinguisher, but the flames melted the vinyl siding, window frame and deck surface area. The cost of the damages & insurance claim is more than \$8,000.00. The strata deductible is \$2,500.00. The owner above the candle maker suffered \$800.00 in smoke damage to personal contents. Who pays and who claims?

Strata Law: The Act sets out conditions for insurance. The strata must insure for major perils. The payment of an insurance deductible is a common expense to which each owner contributes according to calculated strata fees. However, strata corporation can sue an to recover the deductible.

Tips: In addition to the insurance costs, these owners had also violated the bylaws that prohibit the use of barbecues for any activity other than cooking. If a strata allows barbecues, they should have strict regulations governing their use. This one did. The owner upstairs is technically responsible for the damage to her personal contents, but she may consider a claim against the candle-makers for damages. The strata corporation is seeking recovery of the entire \$2,500 deductible.

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