

Condominium Home Owners Association

A non-profit association serving strata owners since 1976

Bulletin: 300-050

Condo Smarts

Headline: Efforts to get owners to pay bulk of repairs often backfire

Topic: Common vs. limited-common property

Publication date: October 24, 2003

Publication: The Province

Written by: Tony Gioventu

Often confused in stratas are the definitions of common property and limited-common property.

Owners in a Coquitlam strata were recently advised that because their balconies were limited-common property, each owner had to have their owner balcony area repaired at their own cost. Because of aging and weathering, some owners had to spend more than \$10,000.00 on the repairs. Now, they have discovered the administering of the costs was not correct. A special general meeting has been convened in hopes of resolving this matter, to fairly distribute the costs.

Strata law: Whether an area is designated common or limited-common property may make no difference regarding repairs. Limited common property (LCP) means property that is for the exclusive use of the owners of one or more of the units – such as balconies – although costs may still be paid by everyone. The difference is in the bylaws. Under the standard bylaws, owners are responsible for limited repairs to LCP, which amounts to basic maintenance. The strata performs major repairs and maintenance that occurs less than once a year, and items that bear on the structure and exterior of the building such as chimneys, stairs, balconies, doors & windows, cladding, skylights, roofing, and decking.

Tips: While the Strata may amend bylaws to make owners more responsible for limited common property, the strata should consider if this is in their best interest. Often the strata tends to avoid those repairs in hopes the owner will have them performed, thus believing the strata will save money. But the owners don't perform the repairs, and the resulting damage is often excessive and involves unnecessary cost for the strata. As well, if the strata does not contract the large-scale projects and purchases, everyone loses the benefits of bulk purchasing and eventually pays higher costs.

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