

Condominium Home Owners Association

A non-profit association serving strata owners since 1976

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Condo Smarts

Headline: Strata plan should detail responsibilities

Topic: Window maintenance

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Written by: Tony Gioventu

There is much confusion in strata living over who repairs and maintains windows. A newly built high-rise had defects in a number of window systems. The strata council asserted that the windows belonged to the owners of each strata lot and insisted they address their own warranty claims and repairs. The warranty company refused to respond to individual claims by owners and was only prepared to address the common-property matter with the council. Six months have passed, the council has done nothing and there is now related damage to the failures.

owner possibly maintain, inspect and repair a window system on the 30th floor? If they did, what would occur if the repairs were not properly performed and damage was caused to the unit below or the common property? A recent CMHC window study is available at no cost on CD ROM and can provide valuable maintenance and repair schedules. The CD is available from the CHOA office free of charge. Contact information is below.

Strata Law: The basic strata plan determines what is common property, and no two strata plans are identical. However, in most multi-family high-rise apartment and townhouse units, the windows on the exterior of the building form part of the building envelope and the common property. The result: the strata corporation must maintain and repair the common property and the strata is not permitted by the regulations to adopt a bylaw that makes owners responsible for common property.

Tips: Window systems, including caulking, flashings, sills, dams, mullions and mitre joints, require routine inspection and proactive maintenance. Even if owners were to perform their own maintenance and repairs, how could an

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