

Condominium Home Owners Association

A non-profit association serving strata owners since 1976

Bulletin: 300-069

Condo Smarts

Headline: Alterations must pass council vote

Topic: Alterations to common property

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Written by: Tony Gioventu

Recipe for confrontation: Take several thousand unapproved balcony enclosures throughout B.C. Add a big batch of incorrectly installed windows. Mix with misunderstanding and kilos and kilos of failed caulking. Let simmer for several years. Result: a confrontational nightmare over maintenance and repairs between owners and councils.

Case in point: Like many innocent buyers, Bob purchased his unit because it had an enclosed balcony, making a great TV/guest room. Then reality struck. He discovered the previous owner had enclosed the balcony without obtaining approval from either the strata council to alter the common property or a permit from the municipality. To make matters worse, the council has just informed Bob that when the siding on the building is replaced, his enclosure will have to be removed. Because of design problems, they will not grant permission for the installation of any future enclosures. Bob no longer has the TV/guest room he thought he had purchased.

Strata law: Before any alterations are made to the common property, owners must obtain written permission from the strata corporation. As a condition of the permission, strata corporations often require conditions, such as engineering reports, technical drawings, building

permits, the expenses relating to the alterations, details of construction and other information that may protect the strata interest -- all at the expense of the owner.

Tips: It's important to understand that altering common property does not alter the designation of the property. It is still common property unless the corporation votes by a three-quarter vote at a general meeting to change the designation. Any alterations must also meet current code requirements, so building permits may also be required. A bulletin on alterations that can assist councils and owners is available by contacting the CHOA office.

For more information on CHOA resources and benefits visit www.choa.bc.ca
or contact the office at 1-877-353-2462 or email office@choa.bc.ca.

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