

Condominium Home Owners Association

A non-profit association serving strata owners since 1976

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Condo Smarts

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Whenever a strata corporation approves a special levy for construction or renovations, estimates include unanticipated costs.

There can be a surplus of funds remaining or a shortfall. One Burnaby strata has just completed its major repairs under budget. In addition to a refund on the work, the strata also received a credit for their PST refund. The council decided to remodel the lobby and the elevator interiors with monies that incorporated these refunds, entering into contracts to spend almost \$100,000 dollars of unapproved funds, which include funds from the refund. Some owners started an arbitration against the council for the expense of the unapproved funds.

Strata Law: The Act requires that if any owner is entitled to a refund of \$100 or more, the money must be refunded in accordance with the entitlement used for the assessment.

Tips: The outcome of the Burnaby condo owners' suit is still pending, but issues around refunds affect literally thousands of stratas in B.C. Leaky condo owners are in the forefront here, as their PST refunds represent a substantial return. Not all involve unapproved expenditures. A major phenomenon is that there are millions simply remaining in unclaimed PST refunds.

Many strata corporations that have completed their retrofits and contracts have not filed for their returns. Strata corporations who have undergone major envelope failure repairs should confirm whether they qualify for PST refunds. Contact the Homeowner Protection Office at 604-646-7050.

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