

Condominium Home Owners Association

A non-profit association serving strata owners since 1976

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Condo Smarts

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There are hundreds of thousands of townhouses in B.C.

The significant difference between a townhouse and an apartment is that a townhouse has a separate exterior entrance, frequently an exclusive yard, and usually a separate garage or carport – so, a Surrey townhouse owner has written asking: “Whose responsibility is the hardware on our garage doors and is the hardware identified as limited or common property?”

The registered strata plan and the bylaws are the key documents to answering these questions. The plan shows whether areas are part of an individual strata lot, limited common property or common property.

No two townhouse plans are alike, so don't even try to compare. In most circumstances, the garages are limited common property or part of the strata lot. This means the strata corporation may pass a bylaw making individual owners responsible for the interior areas and mechanisms, such as motors, pulleys, tracks, rollers and cleaning of the area.

Of course, townhouse exteriors are likely common property and the strata must maintain and repair the common property, including the

doors and windows facing onto the common property or exterior.

Strata Law: The Act and regulations do not permit a strata to pass a bylaw that makes owners responsible for the maintenance and repair of common property. Bylaws may be created for limited common property, but the strata needs to ensure the bylaw does not cross over into the structural or boundary definitions of common property or conflict with other bylaws.

Tips: In addition to garages, yards, patio areas, attics, crawl spaces and even basements in some cases are common property. Occasionally strata corporations consider amending some spaces to limited common property for the owners to maintain and repair, because the strata has very limited access to the area or the area is entirely for exclusive use.

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