

Condominium Home Owners Association

A non-profit association serving strata owners since 1976

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Condo Smarts

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Written by: Tony Gioventu

The past weeks deluge of rain has brought a rude awakening to a group of Burnaby low rise apartment owners. Water was pouring through the ceiling of four of the six units on the fourth floor. The roof had just been inspected and maintained, and no one could find the source of the leaks, until someone opened the flu in their fire place....black ugly water everywhere. The chimney sweeps had been cleaning the fireplaces a few weeks earlier and when they were removing the caps, they dislodged the flashings at the base of the chimneys. Once discovered, the leaks were quickly stopped and the repairs conducted, but the damages are estimated to exceed \$100,000.00. Now the scariest part. The strata council decided to save a few dollars, so they hired an uninsured contractor who acts as a general handyman, with no written agreements.

Strata Law: The Act doesn't regulate common sense. Whatever the strata corporation wants to undertake in a contract relationship is their decision. Council has a duty to Act in the best interests of the corporation, but remember they are still only volunteers, and that is the standard to which they are held. Fortunately the strata's insurer are negotiating covering the damages.

Tips: There are simple basics that strata corporations should consider. Insured contractors, get proof of the current insurance in writing. WCB: go to the WCB web site: worksafebc.com, and print a current certificate for the contractor. Written contracts stipulating terms and conditions of the contracts and the liability of the parties should be a must. If the liability of the contract is high, or the cost is significant, a legal review of the contract would also be prudent to protect the strata interests. My basic rule of thumb: " If it isn't in writing, it can't be true"

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