

# Condominium Home Owners Association

A non-profit association serving strata owners since 1976

Bulletin: 300-103

## Condo Smarts

Headline: Sound proofing key if swapping carpet for hard wood flooring

Topic: Noise control

Publication date: November 14, 2004

Publication: The Province

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Thousands of strata lot owners in both concrete and wood frame buildings have changed their flooring and replaced their carpeted areas with hard-surfaced floors.

Most commonly installed are tiling or wood products. But are your buildings sound-proofed sufficiently?

Buildings are designed for specific sound limitations for both wood frame and concrete construction.

They take into consideration that certain areas of living spaces are to be naturally sound-proofed with carpet areas, and areas exposed to water or traffic areas are hard-surfaced flooring.

Many strata corporations have adopted bylaws that require the written approval of the strata council before any hard wood/surfaced floors are installed.

Unfortunately, if the bylaws lack any reasonable standards of construction, the result is often disastrous for the people living beside, above or below. The floors have not been installed with sufficient sound suppression and the neighbours pay the price.

Strata disputes over flooring alterations have ended up in the courts and with the Human

Rights Tribunal, costing everyone needless expenses, when reasonable standards and planning could have prevented the costs.

**Strata law:** Standard bylaw 3 of the Act sets out conditions for nuisance, hazard, unreasonable noise, and unreasonably interfering with the rights of another person to use and enjoy the common property, common assets or the strata lot. Standard bylaw 5 (1)(g) requires owners to obtain the written approval of the strata which the strata must insure under section 149 of the Act, which includes floor and wall coverings.

**Tips:** Strata corporations can create bylaws that allow owners to change the flooring while still protecting the quiet of neighbours.

The bylaws should include sound-proofing standards, hours of construction, demolition and disposal of materials, and the obligation of the owner to maintain the same or higher sound standards.

Owners must also consider the new floors as betterments and they must insure for these separately.

Prohibiting hard-surfaced flooring is not a complete solution, because individuals with medical conditions will seek exemptions.

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