

Condominium Home Owners Association

A non-profit association serving strata owners since 1976

Bulletin: 300-109

Condo Smarts

Headline: Stratas' seasonal pet peeve

Topic: Pets

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Over the holiday season, a number of condo and townhouse owners routinely decide to use their enclosed outdoor areas to remove their pets from the holiday festivities. This year, one strata experienced the disturbance of a distressed dog barking on a balcony for almost 20 hours before the owners returned home.

In addition to fielding police and SPCA response to complaints, this strata had to inform the owners that the dog must be removed permanently within 30 days, as this is the sixth complaint of its kind in as many months.

Strata Law: Bylaw enforcement that involves personal objects and pets is a very touchy subject for many strata owners. But no owner has the right to infringe on or disturb other owners' lives. Bylaws clearly prohibit activities that cause unreasonable noise, nuisance or interference with other owners or residents.

Tips: Decks and balconies are not kennels. Leaving pets in isolated areas for long periods of time is an inhumane practice as well as a likely bylaw violation.

The act allows a strata to do whatever is reasonably necessary to remedy a violation of its bylaws or rules. As part of this right, the strata may remove offending objects or pets from the common property. Stratas considering such

removal should do so only on legal advice.

Owners whose violation of bylaws results in court actions for removal may find themselves paying for those costs as well.

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