

# Condominium Home Owners Association

A non-profit association serving strata owners since 1976

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## Condo Smarts

Headline: Find out if the strata pays for maintenance

Topic: Maintenance

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Questions on who pays for what and when tend to dominate the e-mails and letters we receive each week from strata owners.

This week an owner requested assistance on who pays for the costs of maintenance to the sprinkler system and the smoke detectors in the strata lots.

The strata has advised owners that the cost, and inspection and maintenance is each owners responsibility, and the owner claims these are building safety systems and the strata responsibility. As it turns out, they were both partially wrong. The definitions for common property and for a strata lot are the most crucial elements in resolving this dilemma.

**Strata Law:** "common property" for this purpose means pipes, wires, cables, chutes, ducts and other facilities for the passage or provision of water, sewage, drainage, gas, oil, electricity, telephone, radio, television, garbage, heating and cooling systems, or other similar services, if they are located within a floor, wall or ceiling that forms a boundary, or between a strata lot and another strata lot, or between a strata lot and the common property, or between a strata lot or common property and another parcel of land, or wholly or partially within a strata lot, if they are capable of being and intended to be used in connection with the enjoyment of another strata lot or the common property. "Strata lot" means a lot shown on a strata plan.

**Tips:** The Sprinkler system in question is used in connection with all other lots, in common walls and is maintained and repaired by the corporation, while the smoke detectors are battery operated and the sole responsibility of each owner.

Strata corporations frequently adopt all fire systems into their bylaws to ensure that they are maintained properly.

The result is generally lower costs and better safety. Safety of life and property are always paramount.

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