

Condominium Home Owners Association

A non-profit association serving strata owners since 1976

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Condo Smarts

Headline: The cat's out of the bag

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An apartment fire was the last thing that a strata council thought would put an end to a longstanding bylaw dispute.

One strata has for three years been playing cat-and-mouse with a cat owner who consistently tried to flaunt the bylaws that prohibit pets. Since moving in, the owner has denied owning the cat. Neighbours below have heard this non-existent cat meowing during the day and jumping around when the owner was away. Every time the council gave 48 hours notice to inspect the suite, the owner used the time to move the cat out for a few days. As a result of an early-morning fire alarm caused by a minor house fire in the adjoining suite, the owner appeared on the building front lawn, in her nightgown with her cat under arm. Bylaw problem solved. The owner admitted to having the cat all along and has agreed to permanently move it to her parents' home.

Strata law: To access a strata lot to inspect for non-emergency reasons, such as bylaw infractions and building inspections, the strata must give 48 hours written notice and specify the reason for inspection. This is often a complaint of strata corporations because it gives owners the ability to remedy the problems before they are inspected. However, these are privately owned

residences and the council still has to give reasonable notice. In the case of an emergency, such as fire or water escape, notice is not required.

Tips: Even if a strata suspects a bylaw infraction, don't resort to emergency measures to remedy the problem. Despite the resolution of the above incident, acting reasonably is a requirement of the legislation. An owner violating a pet bylaw cannot possibly justify calling emergency response teams. That said, when an emergency does occur, don't forget your first call is 911.

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