

Condominium Home Owners Association

A non-profit association serving strata owners since 1976

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Condo Smarts

Headline: Strata council needs to protect its volunteers

Topic: Volunteers

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Every strata corporation has some degree of volunteer activity, whether people donate their time as council members, gardeners, building committees or general handymen.

Does your strata expose itself to unnecessary liability when volunteers start doing work they are not qualified or insured for?

What about the strata volunteer handyman who replaces toilet tanks or faucets and causes a flood, or the gardener who decides to fix the outdoor lighting and gets an electric shock, or owners who clean gutters and fall off the roof?

If a group of owners install new roofing and the roofing leaks, who pays for the damage to the buildings?

Strata law: The only provisions for volunteers in the Act are provisions that refer to council members, and they are reasonably protected when they are acting in the best interests of the strata and are reasonably prudent.

Some individual strata bylaws do create provisions for volunteers and the limits on what work they can perform.

However, if an owner decides to perform work on behalf of the strata, the strata may still be legally responsible for his or her safety.

Tips: Volunteers are an important part of strata living, but strata councils should contact their strata insurance company to find out if they have sufficient coverage for accidents that occur as a result of volunteer activity. Ask these simple questions before a volunteer starts work:

1. Does this job need to be performed by a qualified technician?
2. Are there any safety risks associated with the task?
3. Does the strata have any liability or risk if this person is injured?
4. If any damage is caused by the volunteer, who is going to pay?

This amount of forethought can help in decision-making. The strata is the front line, and as such must be aware of its legal position.

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