

Condominium Home Owners Association

A non-profit association serving strata owners since 1976

Bulletin: 300-152

Condo Smarts

Headline: Strata council cannot make you do anything

Topic: Snow removal

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Dear Condo Smarts: Once again the snowy season is coming, and I am concerned that our strata council will make us shovel our own walkways and driveways in our townhouse complex. Can they do this, or is this a job that the strata council has to undertake? As a seniors townhouse complex, I feel it is simply too much to ask of our owners.

- *Marjorie Kane, Kelowna*

not permissible in all regions. Your buildings likely boundary onto city property with sidewalks, and local city bylaws may require your strata to remove the snow and ice on those surfaces as well. Ultimately, it is less expensive for one contractor to perform the work, than each owner hiring out. Before the snow flies, your council may want to start hiring.

Dear Marjorie: First, your strata council cannot make you do anything. The only authority the council has is the enforcement of the bylaws and the rules of the strata corporation. Those are only enforceable to the extent that they comply with the *Strata Property Act* and Regulations. In most cases, the front entry walkways and driveways in townhouse complexes, are areas usually designated as common property, and the strata corporation is not permitted by the Act or Regulations to create a bylaw that makes owners responsible for common property. It may simply be that your owners have not budgeted enough funds to cover the cost of snow removal, or that they have not found a company to provide the service. A simple tip, if you negotiate a snow removal contract as a fixed price with a contractor before the snow falls, someone will be available and the cost can be controlled and budgeted. In addition to snow, care should be given to ice removal, remembering that salt is not ideal and even destructive on some surfaces, and

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