

# Condominium Home Owners' Association

Serving BC's Strata Property Owners since 1976

Bulletin: 300-169

## Condo Smarts

Headline: Can our council do this?

Topic: Alterations

Publication date: March 19, 2006

Publication: The Province

Written by: Tony Gioventu

**Dear Condo Smarts:** Our strata corporation recently passed a special levy to upgrade the exterior of our building. I have been told that my balcony enclosure will be removed and cannot be replaced. It was there when I bought 15 years ago and I never knew there were any problems. How can I keep my enclosure? Does the council have the right to change my use of the balcony area?"

- *Mary Davis, Vancouver*

**Dear Mary:** Additions to a strata titled building are a very complicated issue. No two were likely installed under the same conditions. Some meet building code requirements, while others pose significant life safety risks and can often be contributors to building envelope failure.

When looking at building exteriors we often see balconies enclosed in glass while next-door units are unaltered. If we review the strata records the confusion is even greater. Frequently owners enclose their balconies or alter the exterior of their units without consulting council, or proceed only on verbal consent with no verification of permission. Some of these alterations are a significant change in the use or appearance of the common property and may require a 3/4 vote of the owners of the corporation to proceed.

Whatever the case, often a new council, ten years later on, will be faced with building repairs and find there is no documentation for alterations.

Correcting the past is almost impossible, but how you proceed in the future is important for the protection of your investment and your fellow owners. It's quite possible that due to building and fire code regulations, replacing your enclosure is no longer possible or affordable.

People considering refitting enclosures, adding awnings or other structures to the exterior must first obtain the written permission of the strata council and very likely meet a number of specific requirements, including a description of the alterations, professional inspection, building permits, assurances of coverage for liability, and agreements to amend home insurance policies.

For more information on CHOA resources and benefits visit [www.choa.bc.ca](http://www.choa.bc.ca)  
or contact the office at 1-877-353-2462 or email [office@choa.bc.ca](mailto:office@choa.bc.ca).

**No part of this publication may be reproduced without the prior written permission of CHOA**

This publication contains general information only and is not intended as legal advice. Use of this publication is at your own risk. CHOA will not be liable to you or any other person for any loss or damage arising from, connected with or relating to the use of this publication or any information contained herein by you or any other person.