

# Condominium Home Owners' Association

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## Condo Smarts

Headline: Is your home your castle?

Topic: Alterations

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**Dear Condo Smarts:** We live in a three-bedroom townhouse unit with an unfinished basement. The basement hosts our gas furnace, gas hot water tank and central vacuum, all installed by the developer. My husband started installing walls in the basement to make a family room, guest room and a home office. The strata council told us we can't make the changes until the plans are approved at their next council meeting, and they require that we sign a waiver so the strata has no liability for anything in the basement.

I thought in a townhouse it was ours and we could do what we wanted. Who has to insure the basement?

-- *Debbie Martins, Vancouver Island*

**Dear Debbie:** Remember the old line, your home is your castle? Well, not so true in strata living. Your home is for your exclusive use, but the original construction is part of the strata assets, and anything that requires structural alterations in a strata lot usually requires the written approval of the strata. Before any townhouse owner makes structural changes to their strata lots they need to check the strata plan and their bylaws.

Make sure whether or not the area is even part of your strata lot. Basements and attics can frequently be common or limited common property and there can be additional limitations in the bylaws, or even prohibitions on the alterations.

Some renovations, like painting, carpet changes, new electrical fixtures are purely cosmetic and may not require prior approval. However, many other alterations not only require approval but they also require building permits. Finishing a basement or an attic for a bedroom or playroom has significant safety concerns such as fire safety and emergency exits. Is there sufficient ventilation and fire proofing in the basement for the operation of your furnace and hot water tank?

As a condition of the alterations most bylaws require that owners take responsibility for the alterations and costs associated with those alterations.

The basic building sold by the developer is insured by the strata corporation. All of the alterations are "betterments" and you need to add those to your homeowner policy. Here's a common complaint of townhouse basement alterations: the walls and framing are directly nailed/screwed into the foundations and floors and the waterproofing has been breached, causing moisture and water ingress and long term damage.

Remember, before you screw or nail into any surface: What's behind it? What's the potential result of the breach? Do I have permission?

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