

Condominium Home Owners' Association

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Bulletin: 300-202

Condo Smarts

Headline: Strata does windows: REMINDER

Topic: Windows

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Dear Condo Smarts: Our strata council is constantly fighting over who repairs the windows on our building.

We have a combination of townhouses and apartment buildings.

Historically, the strata has taken the view that if you can reach a window then you have to clean it and maintain it, but that has simply resulted in owners for the most part neglecting their obligations.

Our buildings are now approaching 13 years old and while most windows are still fine, we have a number with failed seals and cracked exteriors, and they are starting to look tired.

Our question: According to strata law, who pays for the windows?

-- Jacquie, Richmond, B.C.

Dear Jacquie: Before you can determine who maintains and repairs the windows you first have to look at your strata plan.

On most building strata plans, such as highrise, low-rise and townhouses, the building exteriors are common property. That includes the windows and doors that are on the exterior.

The Strata Property Act only allows a strata to make owners responsible for common property if permitted by the Strata Property Act Regulations and at this time the regulations do not permit such.

The result is simple in your case: The strata corporation must maintain and repair the windows. That also includes cleaning.

More importantly, think about the practical side of it.

Proper maintenance of windows, which should include a routine inspection and replacement of caulking or sealants, is critical both for the preservation of the window system and to ensure water does not enter your building enclosures, such as walls, decks and roofing systems.

This work is best left to a qualified trades person or contractor who provides building-envelope and window maintenance.

Before you maintain your own windows, ask yourself if it's really worth it. Who is responsible for site safety? Do you have the right equipment? Is there insurance in case of damages or injuries? Is anyone in your strata qualified to perform the work?

And a last grim reminder: an owner fell to her death several years ago attempting to clean windows from her 17th floor balcony because the strata insisted owners must maintain and clean their own windows.

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