

Condominium Home Owners' Association

Serving BC's Strata Property Owners since 1976

Bulletin: 300-215

Condo Smarts

Headline: Dog doo on deck a problem for all

Topic: Damage caused by pets

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Dear Condo Smarts: Our strata council have been struggling with an owner who is leaving her 4 dogs loose on her penthouse decks and patios during the day when she is at work.

Several upper floor owners have been complaining about weird smells and last week our window washers discovered the cause. When they entered the service roof area to mount the washing scaffolds they discovered the whole area was covered with dog feces. "Utterly disgusting", as they described it.

The strata council have accessed the common roof top area and discovered the owner has removed the barricades that were installed for safety, giving the dogs complete access to the whole roof.

The owner has threatened us with court action if we attempt to make any changes to the roofing area.

We don't want a dispute with this person but there has to be a way to resolve this.

- Mrs. C. Mitchell, Vancouver.

Dear Mrs. Mitchell: Before your council does anything you need to sit down and read your bylaws.

I suspect they are the standard schedule or a version of them that limits pets to one or two cats and or dogs.

Then look at your strata plan and confirm what parts of the roof are common property,

limited common property and the penthouse strata lot.

Four dogs can create a lot of poo in a short period of time, but you need to know property designations and the bylaws to be on solid ground with enforcement. The strata is obliged to give the owner written notice of the bylaw violations, damages to common property, and alterations to common property before they take further action.

The owner may quietly comply or you may have to impose fines to take the necessary action to enforce the bylaws.

This may also include a Supreme Court application for the bylaw enforcement. If the barriers were common property and form a required safety component they must be replaced immediately. The dog poo may have leached into your roofing and drainage systems requiring a major cleanup.

All of the damages and costs of restoring the roofing systems should be recorded, as the strata may want to recover these costs against this owner.

Every strata owner has a responsibility to clean up their animal waste, on decks, patios, in back yards, common lawns and parking garages.

Strata bylaws and rules should make this clear. Animals are part of our daily lives, but no one should have to live with the waste of their neighbour's pets.

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