

Condominium Home Owners' Association

Serving BC's Strata Property Owners since 1976

Bulletin: 300-218

Condo Smarts

Headline: Danger of "warehousing" family burdens

Topic: Evicting an owner

Publication date: March 11, 2007

Publication: The Province

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Dear Condo Smarts: Our strata building is located in a Northern BC community.

We have over 75 apartment style condos in a 3-4 floor wood frame structure. Over the past 5 years we have experienced 3 major floods caused by owners, 2 fires, numerous police incidents and countless incidents of damage to our building caused by neglect of the owners.

When anyone interested in buying our units reads the minutes they get the impression that we are a crime ridden community. We are actually the opposite, we are a quiet community of mostly seniors with a few families and several single owners with physical and mental disabilities.

In almost every instance our disasters have been the result of a person who is incapable of safely living independently. Bath tubs left over flow for 6 hours, kitchen fires caused by forgotten frying pans, and frozen pipes because owners turn their heat off.

We have appealed for support from our local health board, and have been turned down or referred to other agencies that have provided no assistance. Is it possible to remove these owners from their homes before the harm themselves or others?

- T.C.

Dear TC: I have waited for a long time to publicly respond to your letter with some glimmer of good news.

In February of 2007, for the first time in BC, the courts have ordered the removal of an owner from a strata lot, as a result of the

owners' actions and the risks they posed to the strata owners and their property.

This is significant change in the relationship between strata owners and the corporation.

The removal of an owner is not a simple process, and requires a supreme court action, but the decision is a positive indication that the courts are prepared to consider the collective protection of both people and property.

Now some tragic news. Warehousing of seniors and individuals with physical or mental challenges is fairly common in our society. Rather than pay for costly care facilities, families find it economically easier to purchase a condo in a region with lower real estate prices, to house their perceived family burdens.

The residents who have been warehoused suffer the greatest, they live in isolation, often without sufficient funds to meet their daily needs of medical care, food or home support.

As a result many strata communities along with community associations have developed a remarkable network of support for their neighbours with special care needs, and a simple phone call each day makes all the difference in the quality of their life, and the prevention of home disasters.

Some strata communities have also created the position of a caretaker/social convener to monitor residents at risk with positive results in the quality of the strata community. If all else fails, and resident is placing everyone at risk then the strata may have to consider court actions for the protection and the owners.

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