

Condominium Home Owners' Association

Serving BC's Strata Property Owners since 1976

Bulletin: 300-230

Condo Smarts

Headline: Everyone pays for exterior fix
Topic: Buying & Selling – unit entitlement
Publication date: June 3, 2007
Publication: The Province
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Fifth in a six-part series on buying and selling a condo.

Dear Condo Smarts: We own a commercial strata lot on the ground floor of a highrise building. Our unit is quite small so we only have a portion of a vote on strata decisions, but we still pay our full share of the costs. We incorrectly assumed when we bought that the costs were related to our voting share.

The strata is now levying for leaky condo repairs and our share per square foot is exactly the same as every other strata lot.

We understood that the unit entitlement applied only to commercial units and commercial property, and that any repairs to the upper area would be paid for by the residential units.

Is there some way for people to find out what their liabilities are before they purchase commercial property?

-- CG, Burnaby

Dear CG: A colleague of mine always reminds people of a fundamental principle that everyone must remember: even though bylaws may vary between properties, every strata functions the same way under the Strata Property Act.

Before anyone purchases, they should obtain a copy of the entire registered strata plan, the registered schedule of unit entitlement and the schedule of voting rights, which may be part of the strata plan.

Also, obtain copies of all current and previously registered bylaws. Smaller commercial strata lots frequently have a portion of a vote compared to larger commercial strata lots. For example, if a strata lot is 300 square metres, it may have one vote. If it's 150 square metres, it may have only half a vote.

Because the unit entitlement is related to size, in some cases it can be greater than the residential portions. The registered strata plan will help explain the relationship between the schedule of unit entitlement and voting rights.

Many strata corporations still function without complete documents, often contributing to the confusion. In your specific building, the exterior is common property and there are no sections bylaws. The short answer is, everyone is going to pay.

Ask yourself this question before you buy: If the strata were faced with a million dollar repair bill, how much would you pay? An information certificate from the strata may tell you what your unit's strata fees will be, but that does not tell you what your percentage of any overall liability will be.

All strata corporations must have copies of the registered strata plan, schedule of unit entitlement, voting rights and registered bylaws. Does yours?

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