

Condominium Home Owners' Association

Serving BC's Strata Property Owners since 1976

Bulletin: 300-238

Condo Smarts

Headline: She should move elsewhere

Topic: Accessibility

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Dear Condo Smarts: Our strata council is struggling with ongoing problem in our three-story condo walkup in North Vancouver, Built in the 1960's. We have no elevator, no ramped access to our main entry from our parking area and different stairways for access of all levels. One of our owners has demanded that we provide her wheelchair access to all levels of the building, including her own unit on the second floor.

We have investigated and find that to meet minimal standards our costs will be well over \$250,000. There is no way our owners will approve this and she is threatening us with a lawsuit. What is your opinion?

- North Highlands Strata

If strata corporations were legally obligated to comply with changing accommodation requirements in residences, every townhouse and apartment development without elevator access would be affected, with phenomenal costs.

At this point, it is likely time that owner to consider a move to another condo or special residence that meets special needs for access, mobility and safety.

Dear North Highlands: What all owners have to remember is that they don't have special entitlement or ownership to the common property of the strata corporation. The common property is a shared use, shared interest of all of the owners.

If an owner makes a reasonable request to modify common property for the purpose of access and is prepared to take responsibility for those costs, then the strata corporation has an obligation to consider and likely accommodate those requests. However, owners do not have the right to demand the common property be changed at the expense of the strata to meet their changing needs.

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