Dear Condo Smarts:

Our complex has a pool house that is a money pit for our owners. The building needs major reno’s, there is extensive mould, and a number of health and safety concerns. Last year only 5 of our 72 units ever used the pool. One of those owners is a lawyer who claims that we cannot change the use of the pool because that’s one of the reasons he bought and we must maintain and repair the pool area.

An overwhelming number of our owners want to tear the building down and create more parking or remodel the building and build guest rooms and a games room.

How do we get this done? Do we run the risk of being sued if we make the changes?

Ted Collins

Dear Ted: If you keep the pool then yes, you have an obligation to maintain and repair it.

However, the strata corporation does have the ability to make significant change in the use or appearance of common property. Such a change would require a ¾ vote at a properly convened annual or special general meeting.

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