

# Condominium Home Owners' Association

Serving BC's Strata Property Owners since 1976

Bulletin: 300-246

## Condo Smarts

Headline: Annual suite inspections should forestall problems

Topic: Bylaw enforcement

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**Dear Condo Smarts:** Our strata council have been dealing with an owner who we suspect over the past years has never thrown out a thing, including their garbage.

We suspected there were problems because they have always been a shut in, but no one ever complained until a medical emergency a few weeks ago where a neighbour was required to get 911 assistance and access the strata lot.

The conditions are unbelievable to say the least.

The papers are piled higher than the windows, there is garbage everywhere, and feces from rats and pests in every corner.

The owner is refusing access to clean it up, we contacted the local health board and they won't intervene, and the family members have told us to mind our own business.

We're very frustrated because over the years we found enforcing bylaws is just a waste of time, so what do we do?

- Mrs. C.M. Findlay

**Dear Mrs. Findlay:** Many strata councils have a misconception that they need a written or verbal complaint from someone before they enforce a bylaw.

Not so. If a strata prohibits pets and a council member sees a cat in a residence window, or a bylaw prohibits barbeques and there's a barbeques on a deck, the council member can file the complaint.

Don't wait for things to get out of hand, act when you're made aware of the problems. Annual suite inspections are also incredibly valuable.

The strata can inspect plumbing and window systems for maintenance requirements, and at the same time you may become aware of conditions that place your building at risk, other bylaw violations, grow ops or unauthorized alterations to the building structure.

If an owner has created a disaster in their suite you can start the process before it gets out of hand.

Bylaw enforcement takes time and organization. The strata can remedy bylaws, including work on a strata lot and require the owner be responsible for the costs.

Enforcing bylaws is not only about fining people but ending the violations.

A province wide pilot mediation program for strata bylaws is now available through the BC Arbitration and Mediation Institute. For a fixed fee of \$350.00, plus travel costs and taxes if any, the parties get a 2 hour mediation to mediate a bylaw dispute.

A mediated settlement often economically and quickly solves the problems, and maintains good will between the parties who still have to live there when the dust settles.

For more information on the program go to: [www.bcami.com](http://www.bcami.com).

For more information on CHOA resources and benefits visit [www.choa.bc.ca](http://www.choa.bc.ca)  
or contact the office at 1-877-353-2462 or email [office@choa.bc.ca](mailto:office@choa.bc.ca).

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