

# Condominium Home Owners' Association

*Serving BC's Strata Property Owners since 1976*

Bulletin: 300-266

## Condo Smarts

Headline: Decker by repair costs

Topic: Buying a strata

Publication date: February 24, 2008

Publication: The Province

Written by: Tony Gioventu

**Dear Condo Smarts:** I recently purchased a 12-year old townhouse in Richmond. My plan was that my parents would live in the complex for their retirement and we would some day move into the home for our retirement. Not being a local resident we hired an agent and found a document review service on line that we thought was credible. The transaction was fairly smooth but before we signed the papers the sales agent recommended that we obtain an independent engineer's report. She had some concerns over the condition of the balconies. We contacted the review service and they advised that current work was completed on the balconies and according to the strata records everything was fine, so we completed the sale. We have unexpectedly received a notice of Special General Meeting from the strata corporation advising of a serious problem with the decks and walls assemblies. The notice refers to an engineering report that was just received. The estimated repairs are going to be, about \$47,000 per unit. We thought we did everything right. We contacted the review service and they advise they were not provided all of the strata documents so had no way on knowing. So we're stuck with the bills. Do we have any chances of recourse?

**Dear JG:** You aren't the first and won't be the last informed person to find yourself in this trouble. Everyone should exercise

caution when dealing with services that are available on line. There are many sites of blogs, documents and services on line that claim to have the answers, but is there anything behind your screen for your protection? They often represent themselves as an authority on the subject or offer a cheap and easy solution to a problem. What's interesting about on line strata document review services in BC is that they must be licensed under the Real Estate Services Act because they fall under the definition of trading services. Anyone who contemplates using document review services needs to first identify that the agent/company are licensed and complying with the Real Estate Services Act. The next step is to review the contract for the services you are engaging. Look at the terms and conditions of service, liability, reliability of records, responsibility of the service to ensure that all records are reviewed, and ask what happens in the event of a defect or error in the service. If the party is not licensed, insured or a definably registered company with a real business address you should probably look elsewhere. Don't rely 100% on documents that are available on line. Unless you see the originals how can you identify if they are complete or have been altered in any manner? Listen to your agent, personally review the documents and reports, and if ever in doubt, request clarification in writing from the vendor, your agent or the strata corporation.

---

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).

**No part of this publication may be reproduced without the prior written permission of CHOA**

This publication contains general information only and is not intended as legal advice. Use of this publication is at your own risk. CHOA will not be liable to you or any other person for any loss or damage arising from, connected with or relating to the use of this publication or any information contained herein by you or any other person.