

# Condominium Home Owners' Association

*Serving BC's Strata Property Owners since 1976*

Bulletin: 300-306

## Condo Smarts

Headline: Passing  $\frac{3}{4}$  Resolutions

Topic: Voting

Publication date: November 30, 2008

Publication: The Province

Written by: Tony Gioventu

**Dear Condo Smarts:** Our strata owners have tried unsuccessfully at two separate general meetings in the past year to pass a special levy for the replacement of one of our buildings roofs. The roof should have been replaced over five years ago, and since then our strata has paid almost \$70,000 for emergency repairs. The assessment is going to cost our owners an average of \$5,000 each, but we have a large group of new owners that purchased with high mortgages who are voting against the resolution, mainly because they can't afford the cost; however, we cannot afford to delay this repair any longer. Several suites are damaged, and we're facing a pending law suit if we don't get the work done. Are there any alternatives. Connie Sanderson

**Dear Connie:** Unfortunately, voting against a resolution because an owner cannot afford the payment is becoming quite common. This is a symptom of insufficient reserve planning by the strata corporation, aging buildings, and the effects of high ratio mortgages in aging strata properties. As buildings age, the rate of deterioration is accelerated and so do the costs. We receive many calls from owners who cannot pay their assessments and may lose their homes. In essence they could afford to buy the strata, but they can't afford to own it.

They are already stretched to the limit with financial commitments to purchase, but by the time they add monthly strata fees, mortgages, taxes and utility costs, they are often too over extended to be able to manage a special levy. I suspect that in addition to your emergency costs, the failing roof also now requires significant roof deck restoration and replacement. Here's a tragic example for any strata that is considering deferring repairs. The costs are likely 50% or higher than this strata would have paid had they replaced the roof five years ago, and now they're on the verge of lawsuits. If the owners won't approve the levy there are options. The strata might consider a loan for the project which could provide the strata with the funds up front but defer the payment schedule over five or ten years. There is the cost of the borrowing, but the sooner the repairs are conducted the sooner you stop the rising costs. Another option is to adjust the special levy so that payments, with a contractor's consent, may be over six months or longer. The strata corporation has no option, you must maintain and repair the common assets. Seek legal counsel if your strata cannot pass a required resolution for repairs. If you don't proceed with repairs, the courts will eventually intervene at a much greater cost to all.

---

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.



Condominium Home Owners' Association of B.C.  
1-877-353-2462  
www.choa.bc.ca  
FILE: 300-008

**Condo Smarts**

Headline: Strata has say on tree disposal

Topic: Christmas tree disposal

Publication date: December 27, 2002

Publication: The Province

Written by: Tony Gioventu

**For more information on CHOA resources, and member benefits, please visit the website at [www.choa.bc.ca](http://www.choa.bc.ca).  
Questions may be directed to the Advisor by phone at 1-877-353-2462 or email your questions to [advisor@choa.bc.ca](mailto:advisor@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.