

## Strata Living

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**Dear Tony:** We are looking to buy a condo in the downtown area and we are having a tough time getting some of the information we have requested. Two of the buildings are under 15 years old, but we still think it is important to review information around warranty claims and reporting if any, and any engineering reports if any have been done. The roadblock we are facing is the strata manager. We request "Information Certificates", but don't receive any of the other types of information we are interested in. We have called and asked for the additional documents to be attached but are told nothing else is available, or that the information is only available to the owner. So how does a buyer access the other information?

*Caroline M.*

**Dear Caroline:** There are essentially three options to access information under the Strata Property Act, all of which are valuable. The agent only provides the information in the form you request, so request information in the proper format. The first you have already requested, a Form B Information Certificate, but that document only provides a limited list of information. The second is a request to the strata corporation, through a person authorized in writing by an owner, such as their sales agent. Section 35 of the Act provides a broad list of documents, which now include any reports obtained by the strata corporation that relate to repair and maintenance of the property, and will also capture any engineering reports, depreciation reports,

risk management and sanitation reports. It is important to issue your request in writing and retain a copy of that request and the information provided. The third option for information is all of the documents filed in the Land Title Registry. These will include the registered strata plan, voting and unit entitlement, bylaws, limited common property allocations, and any easements or covenants that may affect the property. As a buyer, it is in your best interest to read all of the documents when you considering the purchase. If there are reports or information you do not understand, speak to your agent, lawyer or a consultant. If there is information missing and unavailable, consider those risks before you proceed with your purchase. We have this conception that many people spend more time buying a new bed than their new condo, and while that may be the case, remember that your bed won't generate a \$10,000 special levy, but your condo may. Take the time you need to be comfortable with your purchase and the current and future risks.

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