

Strata Living

Headline: Can the strata sell a caretaker's suite?

Topic: Buying & Selling, Caretakers

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Dear Tony: Our strata corporation owns a suite on the ground floor of our building that was once used for the resident caretaker. Since 2005, our building has been renting out the suite to offset our expenses, but now we are faced with some major repairs and upgrades and the sale of the suite would help reduce the impact of costs to our owners. Is the strata permitted to sell the suite?

Jennifer C. Burnaby.

Dear Jennifer: Strata corporations, like a person, are permitted to buy and sell assets and property. Before the strata corporation sells the care taker suite, you will be required to pass a three quarters vote resolution at an annual or special general meeting authorizing the sale of the lot. However, it is essential that your strata council obtain legal advice on writing the resolution to ensure that the strata corporation obtains the correct authority for the sale of the unit. The resolution requires the authority to engage an agent to represent the corporation, the appraisal to set the value, the authority for the strata council to negotiate the sale, and any particulars of the transaction. The resolution should also confirm the decision of the corporation to discontinue the administration of a resident caretaker and any other business associated with

the transaction. In Jennifer's strata they are fortunate because their suite is a titled strata lot, but in many strata corporations, suites for care takers or resident managers are often common property, making the possibility of a transaction extremely complicated or unlikely without amendments to the registered strata plan.

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