

Strata Living

Headline: Access to a strata lot

Topic: Access; to strata lot

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Written by: Tony Gioventu

Dear Tony: Does a strata corporation have a right to demand a key to my strata lot to gain access at their discretion? The owners in our Kitsilano building have been told we have to provide a key, otherwise if the strata has to break into our strata lots any costs will automatically be ours. At what point is our privacy and security less important than the rights of the strata corporation.

Betty F.

Dear Betty: The procedures for access to strata lots is determined by the strata corporation's bylaws, with the consent of the owners, or in the event of an emergency where immediate access is required to prevent further damages to the building or by emergency services. Access is not discretionary and owners have no obligation to provide a key to the strata corporation for discretionary access to a strata lot. Authority for access by the strata corporation is granted through the bylaws, including the schedule of standard bylaws of the *Strata Property Act*, where written notice stipulating the reason for access to a strata lot, and a specific time period, usually 48 or 72 hours notice. If the owner or tenant does not provide access, the strata corporation is still obliged to follow the bylaw enforcement procedures, which may eventually require that the strata corporation obtain a court order for access and the specific purpose. Strata council members who access strata lots contrary to the provisions of the bylaws or the Act may be unlawfully entering the suite and find themselves subject to more serious consequences. For the convenience of servicing of strata lots and regular

maintenance, owners may provide keys to their strata corporations for easier access. Strata corporations who voluntarily collect and retain keys for strata lots should also have a written agreement and consent with those owners and their tenants stipulating the purpose and authorized use of access, who has access to the keys, how the keys are secured, and how liabilities are addressed in the event the keys are lost or misused.

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