

Strata Living

Headline: When dog owners bark back about complaints

Topic: Pets

Publication date: Aug 14, 2014

Publication: 24 Hours

Written by: Tony Gioventu

Dear Tony: We live in a mid rise building in Burnaby. Our neighbour has a large balcony and leaves her dog outside all day while she is at work. The dog barks, whines and does it's business and is a constant nuisance for the neighbours. This is a nice dog, but the owner is obviously trying to prevent damage and complaints from neighbours by leaving her in the condo all day. We talked to her about the problems being caused but she has told everyone the dog is outside so close your windows if the noise bothers you. How do we address this issue?

Carter M.

past. In addition to the potential bylaw violations and nuisance, someone needs to raise a concern over the safety of the pet. The barking is likely due to some level of distress, possible exposure to the elements, confinement and possible lack of water. A call to the SPCA may also help to get this matter resolved and protect the animal. If the owner has no other options, perhaps there is someone in the building who is an at home dog lover willing to provide day care services for the owner, solving the bylaw problems and creating a better environment for the pet.

Dear Carter: This is a bylaw issue for the strata council to address. Without the owner's willingness to find a solution, your only option is a complaint to council. The standard bylaws include a provision for nuisance, which includes noise or use of a strata lot or the common property in a manner that causes a nuisance to other owners or occupants. Once the council receive the complaint, they have an obligation to enforce the bylaw and obligated to inform the owner of the complaint and her options to address or dispute the complaint. If the infractions are not resolved, the strata may be ultimately required to impose fines and even go as far as obtaining a court injunction ordering compliance with the bylaw. Owners and tenants should also be knowledgeable of the bylaws of their strata corporation. In your strata, you have a bylaw registered in Land Titles in 2004 that specifically prohibits the abandonment of pets on decks balconies and patios. An indication that is has been a problem in the

For more information on CHOA resources and benefits visit www.choa.bc.ca
or contact the office at 1-877-353-2462 or email info@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.