

## Strata Living

Headline: Chronic Parking Abusers

Topic: Parking

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**Dear Tony:** Our strata has 20 units, 28 parking spaces, and the residents have 34 cars. We have been asking council to provide us with an indication of how the parking is allocated, but they refuse to disclose the parking allocations. A new owner has managed to get on council and has discovered that one council member's family has 5 cars and is using 3 of the visitor parking spaces. How do we encourage our strata to make this a fair process?

*Willi Lo*

**Dear Willi:** Before anyone can determine the use of the parking they have to first identify how the parking is allocated. Obtain a copy of the registered strata plan and the bylaws and rules of the strata corporation to determine first how the parking is allocated and whether the bylaws or rules impose any conditions or regulations on parking. Depending on the age of your building, you may also have parking lease agreements which could impact how the parking is allocated. If parking is common property and administered by the strata corporation, then the use of parking and allocation will be established through the bylaws and rules, or may be simply left to a decision of council; however, with the new regulations that require disclosure of parking and storage locker allocations, some formal method of determining parking is now required. If the parking, as in your case is limited common property, and left to the council to administer, those decisions, like all council decisions are made by a majority vote. It is important to understand that parking allocations are not a secret. Being on council

does not entitle a person to monopolize the parking. Section 35 of the Act requires the strata corporation to prepare a list of owners, with their strata lot addresses, mailing addresses if different from the strata lot and parking stall numbers. These records are available to the owners on request. For common area parking it is ideal to create a bylaw or rule to determine how parking is allocated, the number of spaces per strata lot, and the use of additional parking.

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