

Strata Living

Headline: Tenant Damages
Topic: Rentals and Rental Bylaws; Insurance
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Dear Tony: We own a condo unit in a New Westminster building. We recently evicted a tenant who was causing all kinds of trouble in the building and had not paid his rent for 60 days. Our strata lot has been trashed by this tenant and we are facing over \$10,000 in damages. We have spoken to the strata about filing a claim for the damages, but they told us it was our tenant and our problem, even though we only have a \$5,000 deductible. There was also damage to the unit below resulting from water damages of a leaking toilet. We understand that we cannot insure for the original assets of the building as it is the responsibility of the strata, so how can an owner cover their risks and damages?

Jenny Milford

Dear Jenny: A strata must maintain insurance for all common assets and original fixtures installed by the owner developer, and yes that will include original flooring, cabinets, finishing and walls. They must maintain for "**major perils**" which are the perils of fire, lightning, smoke, windstorm, hail, explosion, water escape, strikes, riots or civil commotion, impact by aircraft and vehicles, vandalism and malicious acts. As a named insured you as the property owner may wish to contact the strata insurance provider and your own strata lot insurance provider and determine which of the policies is going to cover the claim if there is an eligible claim. The claim will also include the damages to the strata lot below. Because this was your tenant that caused the damages, you can expect the strata to claim the

amount of the insurance deductible against your strata lot. As a landlord you are responsible for damages, fines and penalties incurred by your tenant. Every landlord should have insurance coverage for their strata lot liabilities including coverage for loss of income if the unit is inhabitable and especially the coverage of any insurance claims or damages caused by your tenants.

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