
Strata Living

Headline: Strata Lot Bylaws

Topics: Bylaws

Publication / Date: 24 Hours, June 4, 2015

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Dear Tony: We live in an older strata where each owner is responsible for their own balcony area. The balconies are part of the strata lot, and under our bylaws each owner is responsible for the maintenance and repair of their own balcony. Seems like a good idea except for one problem. We have a chronic problem with no owner actually maintaining their own deck membranes. As a result we are constantly doing repairs for damages associated with the lack of repair. Is there a simple solution?

Gary K. Kitsilano

Dear Gary: If you look closely at the Standard Bylaws of the *Strata Property Act* you will notice that they require the strata corporation to maintain and repair balconies and other things attached to the exterior of the building no matter how often the repair occurs. It is obvious that if exterior building systems are left to the owners, they tend to either neglect them or simply don't have the basic knowledge necessary to make sure repairs are done effectively.

Building exterior systems are interconnected. The efficient performance and maintenance of one system like the balcony, is likely to have an impact on the exterior walls, windows, doors, drainage systems and overall water management of the building. The reason we live in condos in the first place is to enjoy the benefits of collective affordability and management that apply. The only way that works effectively is if we collectively maintain and repair all the parts that impact everyone.

If your strata is willing to make changes, they may approach this in one of two ways. You may amend your bylaws and adopt the standard bylaws regarding maintenance and repair by the strata corporation, or you could adopt a bylaw where the strata takes responsibility for a specific part of a strata lot.

The bylaw amendment process and the specific bylaws should be scrutinized closely to double check you are solving a problem rather than creating a new one. A review of your

building exterior systems and the obligations of the bylaws may be a valuable exercise as you develop new bylaws.