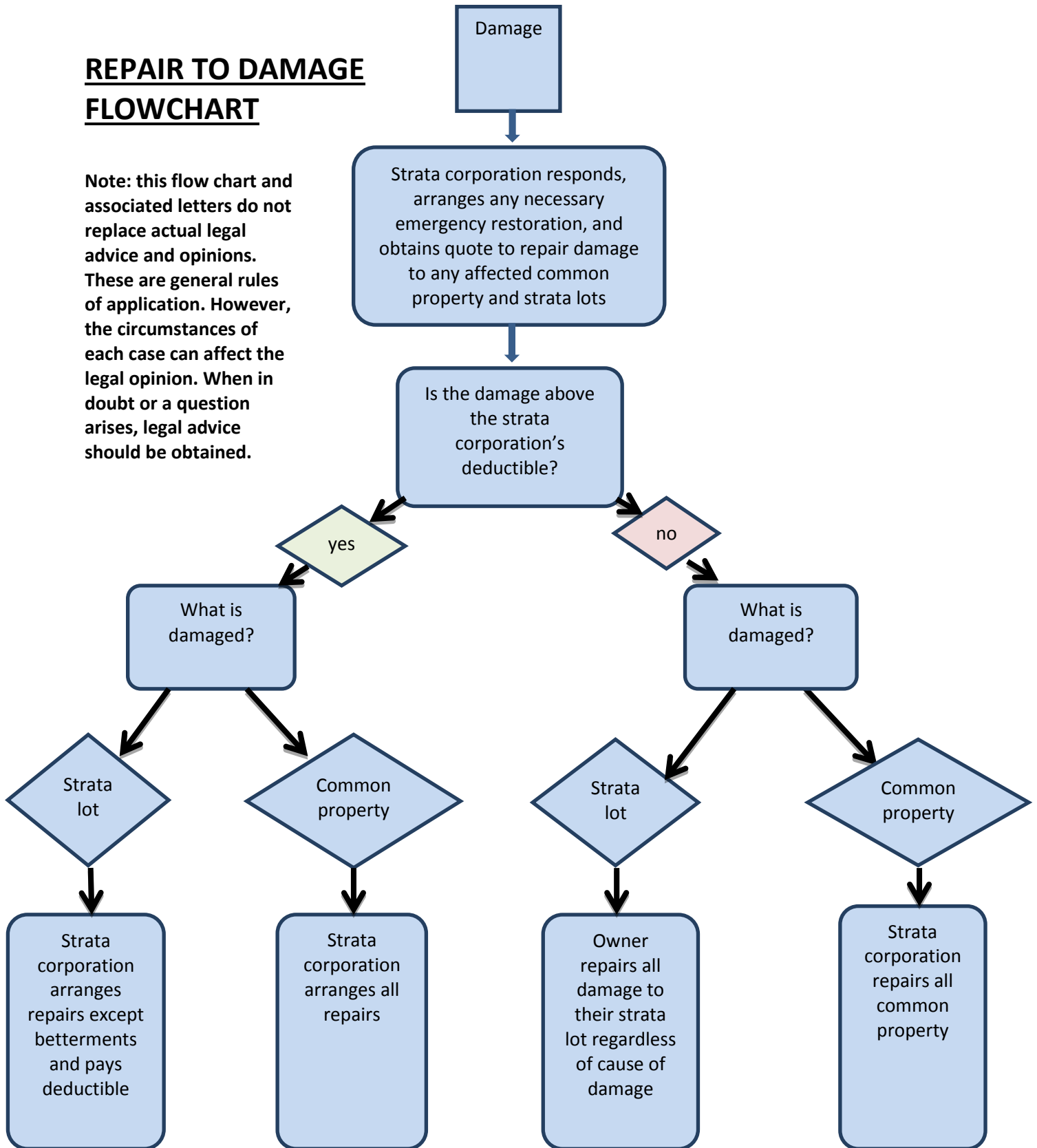


# REPAIR TO DAMAGE FLOWCHART

**Note: this flow chart and associated letters do not replace actual legal advice and opinions. These are general rules of application. However, the circumstances of each case can affect the legal opinion. When in doubt or a question arises, legal advice should be obtained.**



**NOTES:** Strata corporation may be able to charge back the deductible or damage below the deductible if there is a valid chargeback bylaw and the threshold set out in the bylaw is met (i.e. negligence or responsibility). If there is no chargeback bylaw, the strata corporation may be able to sue the owner for the deductible under s. 158(2), but not the damage below the deductible. Where damage is below the deductible, the “innocent” owner may sue for reimbursement of strata lot repairs if the damage was caused by the negligence of the strata corporation or the negligence of another owner. This chart is provided courtesy of Clark Wilson LLP ([www.cwilson.com](http://www.cwilson.com))