
Condo Smarts

Headline: Accommodation & Accessibility

Topic: Accessibility

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Written by: Tony Gioventu

Dear Tony: How do we get our strata corporation to put in a switch activated door for our main entry? My mother, who lives with us, uses a walker as a result of recent surgery, and she cannot open the front door and manage entry safely. We are concerned for her safety and for the other owners in the building who are handicapped or aging with limited mobility. We approached the strata council who claim this is a security risk and the owners will not approve the installation. We inquired if a resolution had ever been in front of the owners for this consideration, and it had not. We would appreciate some leadership on this matter from our council, but they are reluctant to proceed.

Isabelle W. Surrey

Dear Isabelle: Accessibility to common areas and strata lots is a constant issue for many owners, tenants and occupants. Strata corporations have an obligation to provide safe access, and they may be ordered by the Civil Resolution Tribunal, The Human Rights Tribunal or the courts in BC to accommodate access to buildings for a variety of reasons. We take much of our daily surroundings for granted when we don't have limitations, but for those who have limited physical ability, are sight or hearing impaired, or medical conditions that react to environmental conditions, navigating the front doors, access to the mail box, or use of an elevator can be a daunting task.

There are a few options to consider with a reluctant council. Twenty percent of the owners may sign a petition to demand a special general meeting and place the installation of an automated door system on the agenda. The strata corporation must convene the meeting within 4 weeks after receiving the notice; however, even if the owners do convene a petitioned meeting, there is no guarantee the strata council will

proceed in a timely manner or have a system installed that is safe and meets building code standards.

The next option is an application to the Human Rights Tribunal or Civil Resolution Tribunal. The tribunals have the authority to award the alterations and upgrades required. Strata corporations have a duty to accommodate owners, tenants and occupants to the point of undue hardship. While the costs of an upgrade to a strata corporation may be significant, the objective is to ensure safe access for everyone affected.

While many of us live in older buildings that have limited access, we always have the opportunity to consider alterations and upgrades to increase the accessibility for all owners. While some components and designs may be impossible to upgrade, automated door access, sufficient lighting, manageable ramps and landing areas, braille buttons and switches at accessible elevations, cooling and air conditioning, audible alerts and door handles, are achievable considerations.

In addition to the duty to accommodate requests for upgrades, BC has now introduced the *Accessibility Act* to ensure greater access to buildings. CHOA is partnering with BC Housing in research to identify common limitations in residential buildings and how these upgrades may be considered.