

Condominium Home Owners Association

A non-profit association serving strata owners since 1976

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Condo Smarts

Headline: Key word in strata living is "common"

Topic: Strata living

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Written by: Tony Gioventu

In a perfect world, stratas would be peaceful, harmonious, caring lifestyle communities. Many are. There are many model communities that boast waiting lists for buyers. However, when you put several hundred owners together, all of whom have varying interests, cultural and language barriers, and add the normal day-to-day stress of life, it can brew a volatile cocktail of human interaction. In attending meetings I have seen physical assaults, endless verbal abuses, bar-room brawls, vandalism like tire-slashing, broken windows, trashed garden areas, woodpile fires, and several unmentionable events. The disputes often stem from either an owner misunderstanding the concept of strata living or having a personal agenda which puts them in conflict with the strata community. So how does the strata manage this? First there is the legislation.

Strata Law: The key word in strata law is "common". The strata must maintain and repair the common property and assets of the corporation. The council must also exercise the powers and perform the duties of the strata, including the enforcement of bylaws and rules, which provide for the control, management, maintenance, use and enjoyment of strata lots, common property and common assets of the corporation.

Tips: Strata councils enforcing bylaws have an obligation to act in the best interests of everyone in common. If Jake plays his stereo at 3 a.m. so loud that the pictures are rattling on the walls, enforcing the bylaw isn't a personal attack requiring Jake to retaliate at the next opportunity. It's important for Jake to understand that the duty of the strata is to ensure everyone has reasonable enjoyment of his or her living space. In fact, if the strata doesn't enforce the bylaws the owners may have to seek the authority of the courts to compel the strata to do so. The normal routine of living is a reasonable expectation of everyone in a strata community, and with a little thinking about the "common" good it can be achieved. Conflict, assaults, dishonesty and bullying only cost money and time and diminish everyone's quality of life.

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