

## Condominium Home Owners' Association

*Serving BC's Strata Property Owners since 1976*

Bulletin: 300-329

### Condo Smarts

Headline: After a Meth Lab or Grow Op

Topic: Grow Ops

Publication date: May 10, 2009

Publication: The Province

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**Dear Condo Smarts:** Our strata has run into some troubles trying to get the rest of the damages to our building completed after a fire started in one unit with a meth lab. The fire caused minimal damages but the chemicals in the unit contaminated the strata lot and a number of adjacent units, so the city sent an inspector who ordered the evacuation of eight suites until the restoration was complete. That was seven months ago, we still don't have all the work done, the restoration costs are over \$400,000 and our insurance does not cover the claim. The owner of the strata lot has not co-operated and the seven other owners are desperate to come back to their homes. Is there any way we can force this to complete?  
Trudi W., Vancouver Island

**Dear Trudi:** Sadly it's impossible to prevent illegal operations in strata lots. Strata corporations can be vigilant by conducting annual mechanical and building inspections of common areas and strata lots, but more important is how you deal with the clean up after the damage is discovered. The Strata Property Act gives strata corporations a great deal of power to deal with illegal drug activities resulting in building damages; however, this depends greatly on how the order from the local government is issued for the damages. Most local governments have bylaws that apply to conditions resulting from grow ops, meth labs and other illegal drug production activities. When the bylaw enforcement officer visits your site to inspect the damages, they will likely issue an order for the repairs and in your case evacuation of a suite (s) that are affected. It is important for the strata corporation to have proper

representation at this time to ensure two steps are taken. The first is that all patent and potential latent damages are itemized on the order, and the second is that the strata corporation is named on the order in addition to the strata lot owner. This grants the authority to the strata corporation to proceed with repairs to the strata lot, other affected strata lots and other common areas. The costs may then be liened against the offending strata lot. This permits the strata corporation to take control over the timely repair and restoration to the strata lots and common areas. Eventually the strata corporation may seek an order for sale of the strata lot to cover the costs, and hopefully the restored value will cover your losses. As in most cases, if your strata corporation does not have insurance to coverage illegal drug activities and losses, you will be left as the coordinator of the restoration. Before you sign a blank cheque for restoration, set up the scope of work established by the local government order and obtain quotes to obtain a competitive price. Restoration costs can easily sky rocket out of control if you don't have a defined scope of construction and fixed price. When a grow op or meth lab is discovered, immediately contact the police and fire department. Establish a working relationship with your local city bylaw enforcement officer and contact your insurer, your lawyer and any required consultants such as engineering. Act quickly and take control of the situation from an informed perspective. Don't sign blank restoration orders. Obtain competitive bids for the work and have all terms and conditions of the contracts in writing and reviewed by legal counsel before you sign.

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