

Strata Living

Headline: Doors and Windows

Topic: Doors, Windows

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Dear Tony: We have a crack in our living room window on the 4th floor. It looks like it is from settling of the building. So we contacted our strata council and they said owners are responsible for the doors and windows in their strata lots and we should make the arrangements our selves. We hired a company and when they started to remove the window to replace it, they discovered serious problems with the frame and the area under the window that was saturated with water. We immediately contacted the council who ordered the window reinstalled. That was 6 months ago and nothing has happened. How do we get council to address this issue and who is really responsible for doors and windows.

JK Dodds

Dear JK: There is one thing I know for certain about strata corporations in BC. No two of them are alike. So there is seldom a generic answer that could resolve this issue; however, those areas of the strata plan that are not part of the strata lot are generally common property or limited common property. More important to note, except for a bare land strata, vertical surfaces like building exteriors are almost always common property. The Strata Property Act & Regulations do not at this time permit a strata corporation to make an owner responsible for the maintenance and repair of common property. A quick review of

your strata plan would help to determine whether the windows are part of the strata or common property. A review of the bylaws is also helpful in understanding the owners' responsibilities. It is rarely a good idea to make individual owners responsible for any maintenance or repair to exterior building systems. That would include, windows, doors, decks, balconies, roofs, or the type of cladding or siding on the building. It appears that your building has some serious exterior problems that should be addressed as soon as possible before the water causes damage to the structure or the strata lots. You can demand a hearing of council or 20% of the owners can sign a petition and demand a Special General meeting, to address the issues of the building exterior and what steps need to be taken. Don't wait, the costs will rapidly increase.

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