

Strata Living

Headline: Council response to a letter

Topic: Complaints, Caretakers

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Written by: Tony Gioventu

Dear Tony: I sent a letter to my strata council in January and again in May requesting information about our resident caretaker. As an owner in a strata corporation I believe that we are entitled to have a copy of the caretaker's job description, their work related experience and information. A number of owners are dubious about this person's experience and ability and have asked her to provide us with some information and she refused. How can we get the strata council to respond to our letter?

Jeremy W. Vancouver

Dear Jeremy: There are two separate issues here that we need to address. First, if an owner wishes a specific response to a question or a letter requesting information, then an owner is entitled to request a hearing with the strata council. The strata council must grant the hearing within four weeks after the request. If the purpose of the hearing is to seek a decision of council, the council must give the applicant a written decision within one week after the hearing. Because of the volume of letters and emails that some strata councils and managers receive, they do not respond to any of the correspondence unless an owner has requested a hearing and a specific decision. Council address bylaw complaints differently, as those letters are used for the application of bylaw enforcement, and while they do not

require a written response to the complainant, they will form part of the strata records with respects to the decision of the strata council and their application of the bylaws against the alleged violator of the bylaws.

The second issue relates to the labour relations matter. This person is an employee of the Strata Corporation and their direct supervisor is the strata council or appointed person as the supervisor, who may be the strata manager. Strata owners do not have the authority to interfere with employees of the strata corporation, and should you have any complaints or concerns, exercise the privilege of requesting a hearing with council. We receive frequent complaints about owners harassing resident caretakers or mistreating them with often costly results for the strata corporation. The strata council has the authority to supervise and administer the employee. They have a duty to protect the privacy and conditions of employment of the employee under the requirements of the Personal Information Protection Act, and Employment Standards and WorkSafe BC.

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