

Strata Living

Headline: Changing my Parking

Topic: Parking

Publication date: Apr 4, 2013

Publication: 24 Hours

Written by: Tony Gioventu

Dear Tony: I purchased a new vehicle that is easier for my mom to access, but have discovered that it will not access my parking space. I am at the end of a row at the wall on P3 of our building and my vehicle is too long to turn into the spot when my neighbour is parked in their spot. When I purchased my unit I was given the one parking space with my strata lot, and did not option to purchase an additional spot, and my strata corporation has advised we have no additional spaces, but there are at least 25 spaces that I counted that no one is using. Our parking is common property, so why does council not have the authority to assign me another parking space?

Sandy Parker, New West Minster

Dear Sandy: Every strata corporation has different classifications and allocations of use for common property, especially parking areas. In most new buildings, parking assignments created by the owner developer may have been generated through some form of lease or license which authorizes the buyers to the use of specified parking spaces. It is quite possible that all of the parking spaces have been allocated; however, there may be owners with additional unused parking who would be willing to exchange spaces for a short or long term use. A request to council to publish in the council minutes a need for parking exchanges or allocations with the consent of

owners is often a good place to start. The strata corporation under section 35 of the Strata Property Act has an obligation to maintain a registry of the assigned parking spaces, and the owner developer had a duty to provide those assignments to the strata corporation, so a review of that inventory and assignments would also be helpful. It is also necessary to look at the type of agreements that assigned parking, and if all the parking was ever assigned. Many licenses are not for specific parking spaces, but only the assurance of a parking space(s) and that may give the strata council the ability to re-assign spaces that are currently unused. Submit your request to council in writing and hopefully there is some flexibility in your strata corporation.

For more information on CHOA resources and benefits visit www.choa.bc.ca
or contact the office at 1-877-353-2462 or email info@choa.bc.ca.

No part of this publication may be reproduced without the prior written permission of CHOA

This publication contains general information only and is not intended as legal advice. Use of this publication is at your own risk. CHOA will not be liable to you or any other person for any loss or damage arising from, connected with or relating to the use of this publication or any information contained herein by you or any other person.