

Condo Smarts February 27, 2019

Who pays for dryer vents and ducting costs?

Dear Tony: Our high rise building is having an ongoing problem with dryer vents and ducting that was inserted into the concrete floors. They are either too long, too small or have somehow been damaged during construction. The result is the ducting plugs, the exhaust saturates the lint trapped in the duct, the ducts leak and the ceilings in our units are all being damaged. To solve this problem the council has decided that from now on the ducting and exterior vents will be each owner's responsibility to maintain and repair. With so many elderly people in our building the end result will either be avoidance because they can't or won't manage the work or injuries resulting from the maintenance. How can we convince our council this needs to be controlled by the strata corporation to ensure ducting is cleaned regularly? Many owners are concerned about fires as well as the council have threatened owners with the liability of a fire if they don't clear their ducts. Marta P. Vancouver

Dear Marta: Pipes, wires, ducts and cables that are used in connection with other strata lots or pass through a ceiling or wall that forms and boundary between two strata lots or a strata lot and common property, are deemed by the *Strata Property Act* to be common property. The *Act* and Regulations do not permit a strata corporation to make an owner responsible for common property and the strata council or owners either as a rule, policy or bylaw cannot change the definitions of common property. On your strata plan, your dryer ducts leave your dryers and enter the floor ducts between two units and exhaust through a small exterior vent on the face of the balcony. The floor forms a boundary between two strata lots which deems the vents and ducting as common property. Whether they are for exclusive use or not is irrelevant. The ducting could be in the floor or ceiling between two strata lots, or run through an attic space that is common property. In any case the dryer ducting in your building within the floors and the exterior vent is common property. As a result, the strata corporation must maintain and repair the dryer ducts and exhaust vents. From a practical view, it is always better for the strata corporation to maintain and repair any items that can be grouped in quantities. It is much more economical to have one contractor clean 142 ducts and vents compared to each owner contracting separately. Your strata corporation can also confirm the work has been completed. In extreme cases clogged ducts between the dryer and the floor duct, and dryers that are not routinely cleaned will result in a fire. There were several dryer vent fires across Canada in 2018, all caused by occupants not cleaning the dryer lint catch, or the pipe that goes to the vents. In the event a floor duct cannot be cleaned as a result of a collapse during construction, it may be necessary for the owner to use a condenser drying unit or install venting within the strata lot space. In this case the owner would require the approval of the strata corporation before making any alterations to the structure of the building or the building envelope for the exhaust. Secondary lint traps installed between the dryer and the area where the duct enters a wall or floor will greatly reduce the build up. Every strata corporation and strata plan have variations. Always consulting the registered strata plan to determine the designation of property and the bylaws of the strata to determine the division of responsibilities between the owners and the corporation.

Tony Gioventu, Executive Director CHOA

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