

Condo Smarts April 4, 2019 Before you...

Dear Tony: Our strata council is being harassed by an owner who has purchased an electric vehicle and is now demanding that we upgrade our electrical facilities in the parking garage to accommodate a charging station. Our strata council have been quite reasonable about the investigation into the construction and options for installation, but unfortunately, we have a number of obstacles that make this installation prohibitive. All the parking spaces are limited common property, we have 8 guest parking spaces near the main entry and they are always used for visitors, and his parking space is located the furthest possible distance from our electrical room and there is insufficient electrical service at his site. Even if we get a grant for the station at his location, the electrical upgrades necessary are close to \$45,000 including permits and construction. The owner is insisting that we have to accommodate him, but our council does not have the authority to approve the electrical expense and have unanimously refused to pay for the installation. The consensus in our building is that owners will not approve the cost for the electrical services. He has threatened to force us into the Tribunal. Do we have an obligation to accommodate this owner? Council

Dear Council: Under the Schedule of Standard Bylaws and virtually all amended strata bylaws across the province, a strata corporation must act reasonably when they receive a request from an owner to alter a strata lot; however, they do not have to grant permission for an alteration to common property. This condition could be complicated if the strata corporation has been granting permission for similar alterations to a preferred group of owners and not others; however, in your case, what the owner is requesting is a first-time alteration to the common property being the common electrical infrastructure of the building. Limited common property is by definition of the Strata Property Act common property. When an owner makes an application for an alteration to common property, the strata corporation may approve the alteration however they may impose a variety of conditions such as: complete technical drawings, permits, schedules of construction, proof of insurance, and an alteration agreement where the owner must cover all related current alteration and future operating costs. If the alteration is possible, but the result may be a significant change in use or appearance of common property or a common asset, the strata corporation will be required to convene a general meeting and approve the alteration by a 3 / 4 vote resolution. Whether it is the installation of a skylight on a townhouse, change in retaining walls/drainage systems in a bareland strata, or a change to the infrastructure or outside of an apartment or highrise building, it is in the strata corporation's best interest to maintain close control over the construction. Owners always cut corners on construction cost leaving the strata holding the bills when they sell and move. Strata corporations and managers constantly believe that when a common area is altered it is now the responsibility of that strata lot. Not correct. Altered common property is still common property and must be maintained and repaired by the strata corporation. Alteration agreements may only require an owner to pay for costs related to the alteration and future maintenance and repairs. Strata corporations may adopt rules that set rates to recover the costs of the operation and electricity of charging stations, in addition to significant reduction in GHG emissions, electric vehicles also reduce emissions and noise in parking garages which affects the climate of our homes. Before you bring an electric vehicle home to your strata, confirm in writing with your council the installation and maintenance of a charging station is possible. More information on electric vehicles or for a step by step guide on managing an EVSE alteration: @pluginbc.ca or choa.bc.ca and search electric vehicles.

Tony Gioventu, Executive Director CHOA

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