

Condo Smarts October 12, 2022

Winterizing Buildings

Dear Tony: Last year we had 2 owners go south for the winter. We permit home exchanges or house sitters to keep residences heated and occupied, but they both chose to leave their homes vacant. One of the units turned off their heat with the result of frozen pipes, significant water damage and an insurance claim. After a significant legal cost, we recovered the deductible from that person, but in August we were faced with a significant increase in insurance cost and a doubling of our water escape deductible. How do we stop owners from abandoning their homes during winter with these consequences? Marilyn D.

Dear Marilyn: Unfortunately, we cannot regulate common sense, but we can enforce neglect. Most strata corporations never exercise the provision in the standard or amended bylaws that permits a strata corporation to conduct inspections on strata lots. Standard Bylaw 7 requires, *an owner, tenant, occupant or visitor must allow a person authorized by the strata corporation to enter the strata lot (a) in an emergency, without notice, to ensure safety or prevent significant loss or damage, and (b) at a reasonable time, on 48 hours' written notice, to inspect, repair or maintain common property, common assets and any portions of a strata lot that are the responsibility of the strata corporation to repair and maintain under these bylaws or insure under section 149 of the Act.*

Routine inspections of domestic water lines including drainage, monitored fire systems, and venting and ducting within common walls, are all integrated systems that are generally common property. Without routine inspections by a qualified service provider, a strata council has very little information to rely upon to plan for maintenance, renewals and budgeting. Routine inspections on an annual schedule are critical in identifying issues that can easily be resolved and prevent long term costly damages. Hot water tanks in town houses are a good example. Everyone ignores them until they leak. If there is a proper catchment tray and operating drain, there may be minimal effect; however, that is rarely the case. When the pressure is maintained in a vacant unit, hot water tanks, external faucets and water lines in exterior walls, are all vulnerable. While we cannot prevent an owner from vacating their unit during winter, we can build a solid set of bylaws to educate owners on their obligations, address insurance deductibles and damages, and provide an enforcement tool. Consider a bylaw that details the requirements for winter preparation. Itemize the conditions specific to your strata corporation. They will include shutting off external taps, shutting of the water to the unit if that is possible, maintaining a minimal heating level of 16 Celsius, shutting water delivery to hot water tanks, and water lines to appliances. While an emergency contact is not mandatory, access by a neighbour or family member is also valuable and should be encouraged. If an owner vacates their home without providing for routine inspection, they may also void their homeowner's insurance policy. It is easy to overlook these basic obligations. A simple solution: deliver a copy of the bylaw and the checklist to all owners and residents annually.

Tony Gioventu, Executive Director CHOA

Registration is now open for CHOA's Fall 2022 Education Program. Course highlights this season focus on Council Meetings, BC Human Rights Tribunal, The CRT, The Accessibility Act and Alterations. Go to: <https://choa.bc.ca/seminars/>

Kindly note CHOA is a member-based, non-profit association. If your strata is not currently a CHOA member please consider joining – membership details are posted on our website at: <https://www.choa.bc.ca/about-choa/join-choa/>

COVID-19: To prevent the spread of COVID-19 CHOA staff may be working remotely. During this time we are online and available by phone and email to assist with your strata questions. Please stay safe and healthy.