



# BULLETIN

News and resources for BC strata owners, councils, and industry professionals



MAY 2022

Vancouver Island Strata Owners Association

# VISOA Bulletin

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The Bulletin is a digital magazine published by the Vancouver Island Strata Owners Association (VISOA) four times per year.

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VISOA is an independent, non-profit, member-funded society. Formed in 1973, it is the longest-running organization of its kind in Canada. VISOA provides education, support, and advocacy for British Columbia strata owners and strata corporations. As part of its mandate, VISOA meets with government and industry associations, and sits on advisory panels to advocate for BC strata owners and strata corporations.

Membership is open to any resident of BC, strata corporations (such as condominiums, townhouses, bare land, and commercial stratas) and businesses that provide goods and services to stratas. Visit our website or contact us for more information about membership.

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# In This Issue



## Featured

**On the cover:** After a stroll along the Galloping Goose Trail I ventured to the Selkirk area of Victoria to watch the activity along the water. There were cyclists and kayakers enjoying the sunny day. The trees were just beginning to bud and I snapped this photo of a lovely townhouse strata. - W. Wall, Victoria

**Disclaimer:** The material in this publication is intended for informational purposes and cannot replace consultation with qualified professionals. Legal advice or other expert assistance should be sought as appropriate.

# ■ What Stratas Need to Know About Radon Gas

by Ted Letourneau

If I asked you “What is the leading cause of lung cancer in Canada?”, I’m sure most would answer “smoking”. What if I asked you “What is the second leading cause of lung cancer?”

In fact, approximately [3,200 deaths](#) per year can be attributed to radon exposure in Canada. For context, about 1,900 Canadians die every year from auto accidents. How is this possible? First, we need to understand where radon comes from and how it results in exposure.

## What is radon gas?

Radon is a naturally occurring radioactive gas that comes from the breakdown of uranium in soil and rock. It is invisible, odourless, and tasteless. When radon is released from the ground into the outdoor air, it is diluted and is not a concern. However, in enclosed spaces, like homes, it can accumulate to high levels and become a health risk.

If you bought or sold a home after April 2020, you’ll notice that the [Property Disclosure Statement](#) now

requires the seller to disclose knowledge of radon levels and mitigations systems (if any).

## How does radon gas enter buildings?

Radon can enter a building any place it finds an opening where the building contacts the ground, such as cracks or gaps in the foundation, floor and walls, construction joints, gaps around service pipes, support posts, window casements, floor drains, sumps, or cavities inside walls.

The concentration of radon in the indoor air depends on the amount of radium in the soil and the ease with which the radon it produces can move through soil and building walls where it can then mix with the room air. Once inside a building, the radon cannot easily escape. The sealing of buildings to conserve energy reduces the intake of outside air and worsens the situation. Therefore, newer buildings are more at risk. Radon levels are generally highest in basements because these areas are nearest to the source and are usually poorly ventilated.

Radon is classified by the [International Agency for Research on Cancer](#) (IARC) as a Group 1 carcinogenic to humans. Inhaling radon and its progeny (solid particles) increases the risk of lung cancer. The combination of radon exposure and smoking, compared to radon exposure alone, significantly increases the risk of lung cancer.

## What is the acceptable level of radon gas?

Although there is currently no regulation that governs an acceptable level of radon in Canadian homes, Health Canada, in partnership with the provinces and territories, has developed a guideline. The acceptable level of radon in “dwellings” which includes homes or public buildings (schools, hospitals, long term care facilities and correctional facilities) is 200 Becquerels per cubic metre (200 B/m<sup>3</sup>) based on the [Government of Canada Radon Guideline](#). This guideline applies to “normal occupancy area”, which refers to any part of the building where a person is likely to spend more than 4 hours per day. This would include a finished basement with a family room, guest room, office, or workshop. It would also include a basement apartment. Notably, it would exclude crawlspaces, parking garages, or any other area accessed infrequently.

## How can I test for radon?

The first step is to conduct a survey of the suites in your building(s) that are situated at-grade atop a concrete slab or below-grade. If all residences are above-grade, a survey isn’t necessary. *continued on page 4*




## What Stratas Need to Know About Radon Gas

For suites at or below-grade, the strata or individual owners can purchase do-it-yourself radon test kits or hire a measurement professional certified under the [Canadian National Radon Proficiency Program \(C-NRPP\)](#). Radon levels in a suite can vary significantly over time so you need to do a long-term test, for 3 months, ideally during the fall or wintertime. Go to [www.takeactiononradon.ca](http://www.takeactiononradon.ca) to find test kits or to find certified radon measurement professionals in your area.

### What can your strata do to reduce the level of radon?

If test results show your building(s) has suites with levels above 200 B/m<sup>3</sup>, the strata corporation could consider hiring a certified radon mitigation professional to determine the best way to reduce the levels.

The most common radon reduction method is active soil depressurisation where pipes are installed through the sub-flooring that leads to an outside wall or to the roof. A small fan draws the radon from below the building where it exhausts before it can enter the building. Other methods include increasing ventilation and sealing major entry routes into the building. Effectiveness of each method will depend on how high the radon levels are, and the characteristics of the building.

Through testing and mitigation, you can ensure that your residents are well protected from radon intrusion and exposure. Visit [Take Action on Radon](#) or [Health Canada](#) to learn more. 

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*Ted Letourneau, BSc., ROH is a Senior Occupational Hygienist at Island EHS, a hazardous materials consulting firm based in Victoria. Island EHS is C-NRPP certified. [www.islandehs.ca](http://www.islandehs.ca)*

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## ■ Editor's Message

The board wishes thank our outgoing editor, Sandy Wagner, for her tireless efforts and expertise. Her extensive knowledge of the *Strata Property Act* and her inate understanding of the issues and challenges that strata owners face every day, are reflected in the quality of the articles she sourced and the relationships she built with contributors. Thank you Sandy.

While we are actively seeking a new editor, our Bulletin committee and Suite of Services committee worked together to produce this issue. It's a labour of love, collaboration and teamwork.

Spring has sprung, a time of renewal and growth, and you'll notice that the May issue has a new look.

One of the new ideas is to feature a photograph of a British Columbia strata building on the cover of each issue. See our contest on page 5. If your photo is selected, you'll be entered into a draw to win a free corporate membership for one year. Corporate membership means that every one of your strata owners can access VISOA's services such as our Strata Support Team.

We hope you enjoy this issue! 

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*Wendy Wall, John Grubb, Barry Burko and David Stinson  
Bulletin and Suite of Services committees*

*Send letters to the editor, articles for consideration, or suggestions for articles to: [editor@visoa.bc.ca](mailto:editor@visoa.bc.ca)*





## Cover Photo Contest

Submit your photo of a BC strata to [editor@viso.bc.ca](mailto:editor@viso.bc.ca). Photos selected for the cover of the Bulletin will be entered into a draw.

**First prize:** a one-year VISOA corporate membership for all owners in your strata.

**Second prize:** \$50

Next draw is December 1, 2022



# ■ Understanding WorkSafeBC for Stratas

by John Grubb

Experience, over many years, has shown that strata councils have mixed understandings of how WorkSafeBC and the [Workers Compensation Act](#) apply to strata corporations.

WorkSafeBC (WSBC) is focused on employers and their employees, and provides insurance, including medical and income coverage, for the latter should an individual be injured while engaged in work activities for their employer.

## **Is the strata corporation an employer?**

Strata councils need to consider the basic question, “Are we, or do we want to be, an employer?” From a risk management perspective, this should probably be avoided. While hiring employees may be unavoidable in large or complex stratas that require a full-time “caretaker” for example, most small stratas can manage on their own with the support of contractors.

Many stratas have unwittingly hired a person such as a cleaner without realizing that they are now “deemed”

to be an employer. Ask yourself, “Does the person have any other clients?” If the person works exclusively for the strata, the [BC Employment Standards Act](#), WSBC and [Revenue Canada](#) consider this person to be an “employee” of the strata corporation. Should the individual have an accident while engaged in their duties, the strata corporation will be liable for costs.

If the strata is an employer, or deemed to be an employer, the strata must pay the applicable WSBC premiums based on the employee’s “insurable earnings”. Otherwise, the corporation will be subject to a substantial fine from WSBC, and repayment of any medical and lost income coverage that it paid out for the injured employee. It’s not difficult to [register with WSBC](#) and, in many cases, it only requires submitting a simple report once a year.

As an employer there are many obligations to comply with, including meeting the requirements of the WSBC [Occupational Health and Safety Regulation](#). But that’s a topic for another article!

*continued on page 7*



### Working with contractors

We all engage contractors to provide various services—groundskeeping, boiler maintenance, electrical and plumbing services, etc.—but we hire them as “contractors” not “employees”. As contractors, we expect them to be registered with WSBC and meet the requirements to ensure their employees are covered. It only takes a few minutes to search the WSBC website and download a “[clearance letter](#)” to see if the employer (person or company) is in “good standing”. It is a common business practice for contractors to supply both proof of WSBC and commercial liability insurance coverage to their clients upon request. If they refuse to provide these documents, the strata would be wise to look for another contractor.

### Contractors without WorkSafeBC coverage

Some stratas get into trouble by engaging contractors who are not covered by WSBC. A sole proprietor might tell you that they can’t or aren’t required to get WSBC coverage. The fact is that any business operating as a sole proprietorship, partnership, or corporation can purchase WSBC coverage. While an individual who has no employees isn’t required to get WSBC coverage for

themselves, it is a best practice in my opinion to do so. If they don’t, the strata is advised to register with WSBC and pay for coverage for that worker for the period of time that they perform work for the strata.

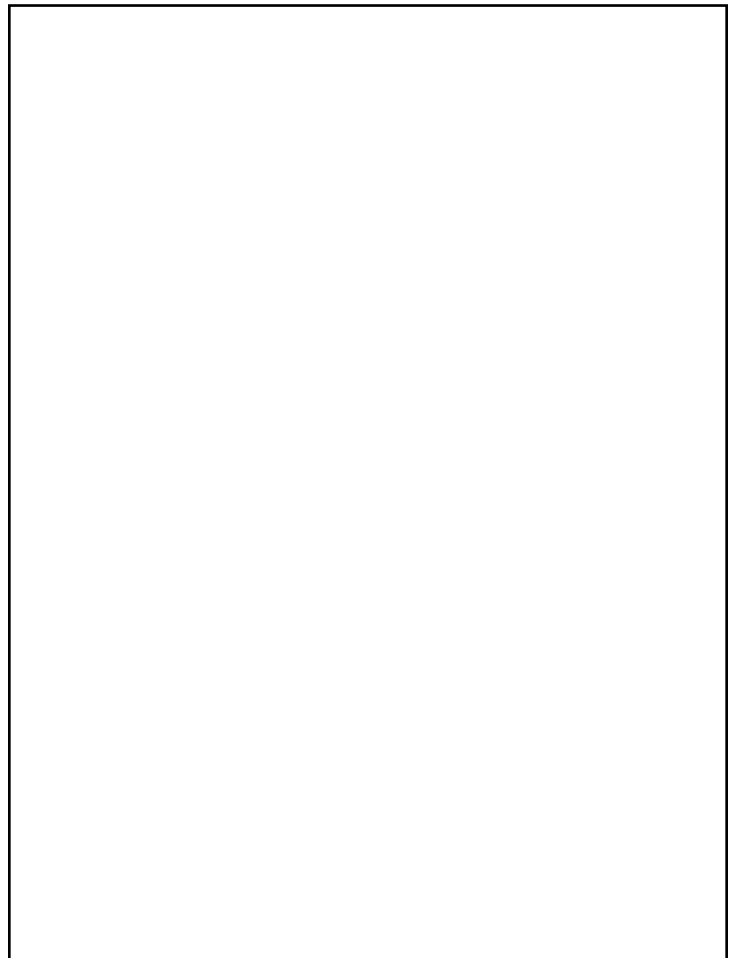
Whether or not a contractor has WSBC coverage for their employees or themselves, the strata is not absolved of its responsibility to ensure a safe workplace, ensure the contractor is aware of any site hazards, has the necessary written procedures in place, and follows all [regulations](#) under the *Workers Compensation Act*.

### Who insures volunteers?

Volunteers are not covered by WSBC. Stratas who use volunteers to do maintenance or yard work, climb ladders, access the roof, or any situation that could result in an injury, should consider getting volunteer accident insurance through the strata corporation’s insurance provider. The coverage generally provides compensation for dismemberment and death, and a very small amount for wage replacement for volunteers who miss work due to an injury while doing volunteer work for the strata. **V**

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*John Grubb is the vice president of VISOA and a long-time business member.*



# Who Can Be a Council Member?

by Wendy Wall

If you want to spark a debate with other strata owners, just ask the question “Who can run for election to council?”. You might find that assumptions and misconceptions abound.

## Eligibility for council under the SPA

To answer this question, we have to start with [section 28](#) of the *Strata Property Act* (SPA). It says that the only persons who may be council members are the following: (a) owners; (b) individuals representing corporate owners; and (c) tenants who, under [section 147 or 148](#) have been assigned a landlord’s right to stand for council. The Act also permits the strata corporation to pass a bylaw that allows other “classes” of persons to be council members.

If a strata lot has multiple owners, only one person may be a council member at any one time for that strata lot.

The exception is for stratas of less than 4 lots. In that case, all owners are council members. That also applies when a strata corporation of any size has less than 4 owners in total. In all cases, each strata lot has one vote at council meetings.

## How does a corporation serve on council?

An owner-developer (typically a corporation) is an “owner” under the SPA. Other corporations can also own residential and commercial strata lots. One misconception is that the corporation must be represented by the owner of the company. In fact, the corporation may have any individual represent them. That could be an employee or even a person not associated with the company. Only one representative of the corporation may be a council member at any one time for that strata lot. The corporation could have a different representative stand for election the next year.

## What if the owner owes money to the strata corporation?

[Section 28](#) of the SPA allows the strata corporation to make a bylaw that prohibits an otherwise eligible person from running for election, or continuing on council, if the strata corporation is entitled to register a lien against their strata lot under [section 116 \(1\)](#). Note that a lien is not permitted for fines owed, so this bylaw would typically be employed when an owner is in arrears for strata fees or a special levy. Ensure all steps have been followed correctly before applying the bylaw to bar or remove a

council member. “Entitled to register a lien” requires the strata corporation to comply with [section 112](#) by giving the owner at least 2 week’s written notice demanding payment and indicating that a lien may be registered if payment isn’t made within that period of at least 2 weeks (which is 20 days under the *Interpretations Act*).

## Is a spouse or common-law partner an owner?

A common misconception is that a spouse, common-law partner, or occupant who is not on title is eligible to serve on council. An “owner” is defined as a person... shown in the register of a land title office as the owner ([read the full definition](#)). It’s possible for the owner to add another person to the property title at the Land Titles Office but that can have legal, tax and other [consequences](#). Alternatively, the strata corporation can amend its bylaws.

## Expanding eligibility for council under the bylaws

The [Standard Bylaws](#) don’t include a bylaw that would allow other classes of persons to be council members. However, the strata could pass a bylaw by a 3/4 vote of eligible voters at an annual or special general meeting to allow other classes of persons such as a spouse or common-law partner, a parent, or an adult child to sit on council. Expanding the pool of potential council members can be helpful for stratas that

have difficulty finding owners willing to serve as council members.

For many years it was unclear whether an individual holding a power of attorney was eligible to be on council in the place of an otherwise eligible strata lot owner. A [power of attorney](#) (POA) is a legal document that gives one person the legal authority to make decisions on behalf of another person. In a strata setting, POAs are most often used when a strata lot owner has a cognitive impairment or when owners live outside of BC. In 2021, the BC Supreme Court clarified the question in [Paget v. The Owners, Strata Plan LMS 1951, 2021 BCSC 2111](#). The court ruled that an individual holding a POA was not eligible to sit on council unless the strata has a bylaw that allows it.

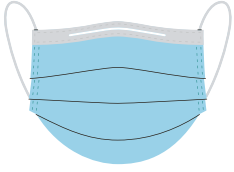
If your strata owners want to allow other classes of persons to serve as council members, be sure to work with a strata lawyer to ensure your bylaws clearly define who is eligible. **V**

Expanding the pool of potential council members can be helpful for stratas that have difficulty finding owners willing to serve on council.



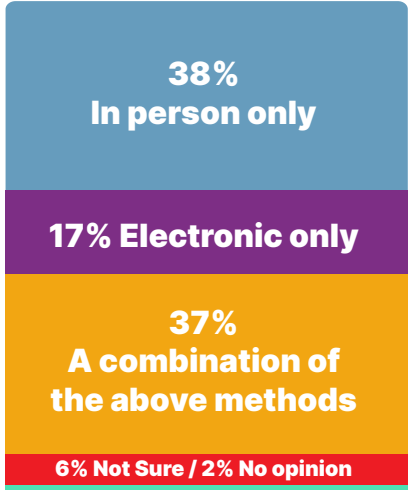
# Masks and Meetings: Survey Results

Will you continue to wear a mask by choice in indoor settings such as retail stores and strata annual and special general meetings (AGMs and SGMs)?

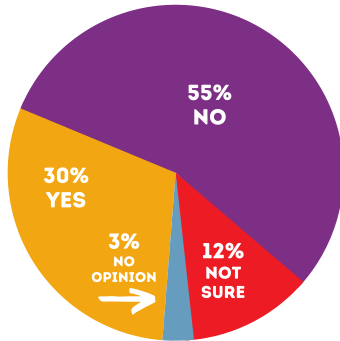


**68.5%**  
Held an AGM or SGM by Zoom in the last 2 years.

If your strata were to hold an AGM or SGM between April 8, 2022 and December 31, 2022, how do you want it to be held?



**18%**  
Think their strata corporation should have a rule that requires residents to wear a mask in common areas such as hallways and meeting rooms.



After April 8, 2022 do you think your strata corporation should continue to require attendees to show proof of vaccination to enter an indoor event such as an AGM or SGM?

*Thank you to the 492 respondents who participated in our survey March 13 - April 1, 2022.*

# ■ Is Your Strata Ready for Fire Season?

by John Grubb

Forecasters are predicting that the western United States—which is already experiencing grass and brush fires—along with much of B.C. including Vancouver Island, will have a lengthy wildfire season in 2022. While most inner-city strata buildings won't be affected directly, semi-urban, suburban and rural strata developments could be at risk.

## Increased risk

Last year's "heat dome" was extremely challenging for many of us as we tried to stay cool, but it also affected the tree canopies in many areas. While many properties have irrigation systems for their lawns and gardens, the systems don't necessarily extend out to surrounding or nearby green spaces.

Hills and rocky outcrops are desirable sites for strata developments but are often surrounded by natural areas on steep terrain that can't be built on and are typically protected by local municipalities. A prime example is southern Vancouver Island's Garry Oak meadows. Rural bare land stratas often have large lots, and some also have common property left largely in its natural state with substantial trees and underbrush.

## Interface fires

In 2003, we were introduced to the term "interface fires" which the B.C. government defines as "fires that have the potential to involve buildings and forest fuel or vegetation simultaneously".

Large areas of the Okanagan valley were ablaze and fires spread through many suburban areas where homes and forest lands met, causing significant damage and destruction to both. 2009 proved to be another destructive fire year around Kelowna.

In 2021, we saw the results of the devastating fires in Lillooet, Monte Lake, and other areas. The Insurance Bureau of Canada estimates the value of the damage caused by the wildfire that wiped out most of the Village of [Lytton, B.C.](#) is \$78 million. Most of the 300 claims so far are related to residential properties. When fires raced through the community, residents had only minutes to get out. Two people were killed.

## FireSmart program helps you prepare

The provincial government has a community program, British Columbia [FireSmart](#), designed to support those living in areas subject to interface fires, by providing assessment tools and planning information.

The website offers self-assessment tools to help

you determine your property's vulnerabilities, and decide whether further professional support from a qualified FireSmart representative is needed. A list of representatives is provided for areas throughout the province, but there is a lot of other information on how you and your strata community can plan and prepare on your own.

2022 has been a cool, damp spring across most of the province, but that's not expected to last. We're in for an extended period of hot, dry weather this summer. Managing heat inside our homes is one challenge; ensuring our homes are safe from fire hazards around them, is another.

Get started with the [FireSmart toolkit](#) which includes free guides, checklists, posters, videos, and more. [V](#)

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*John Grubb is the vice president of VISOA and a long-time business member.*





# ■ Speculation Tax on Unoccupied Strata Units

## Temporary speculation and vacancy tax exemption for units with rental restrictions phasing out soon

In 2018, the BC government introduced the “[speculation and vacancy tax](#)” in response to escalating home prices in urban areas, low rental vacancy rates, and high rental prices. It applies to all owners of empty homes in the Metro Vancouver, Victoria, Nanaimo and Kelowna areas. The intent is for empty homes to be used for housing, to ensure foreign owners and those with primarily foreign income contribute fairly to B.C.’s tax system, and to help fund affordable housing projects in these areas. The tax generated \$81 million in its first three years, with 86% of the revenue coming from foreign owners, satellite families, Canadians living outside B.C. and other non-B.C. resident owners.

Registered owners of a residential property in these regions must complete a form by March 31st each year to declare their residency status, whether they pay taxes in Canada, and how their property has been used. A declaration is required each year because circumstances may change. If a property has more than one owner, a separate declaration must be made for each owner, even

if the other owner is a spouse or relative.

### **How much is the speculation and vacancy tax (SVT)?**

If the owner is not eligible for an exemption, they will have to pay the SVT. It’s calculated based on the property value assessed by [BC Assessment](#). The tax rate varies based on whether the owner is a Canadian citizen or permanent resident of Canada, or a [satellite family](#). The SVT only applies to properties that BC Assessment has classified as residential. The current rates are:

- 2% for foreign owners and satellite families
- 0.5% for Canadian citizens or permanent residents of Canada who are not members of a satellite family

### **Who is exempt?**

Over 99% of British Columbians are exempt from the speculation and vacancy tax. Generally, a B.C. owner is exempt from the tax if the home is their principal residence. See the complete list of [exemptions for individuals](#).

*continued on page 13*

## Speculation Tax on Unoccupied Strata Units

For example, a property that has an assessed value under \$150,000 is exempt. Also, owners of a strata accommodation property as defined in the Assessment Act, also called “strata hotels”, are exempt. This exemption was introduced as a temporary exemption but was made permanent in 2022.

### **An end to the temporary exemption for strata units with rental restrictions**

What if you own a residential strata lot that you don't reside in and the strata has [rental restrictions](#)? Your strata's bylaws might set the maximum number of units that can be rented at one time, or restrict the length of time your unit can be rented. You might have requested permission to rent and been placed on a waiting list. Meanwhile your suite is empty. You're exempt from the SVT now but that is coming to an end.

A temporary exemption for the SVT was put into place for four years (2018, 2019, 2020 and 2021 tax years only) to give strata owners time to make a decision about their situation. This exemption only applies if the rental restriction was in place on or before October 16, 2018, and the owner purchased the property before that date.

During this four-year period an owner might decide to sell their unit, use it as their principal residence, or get permission to rent it. They might even petition the strata council to put forward a 3/4 resolution at an AGM or SGM for owners to amend the rental restriction bylaws.

This SVT exemption will phase out soon. It won't be available for the 2022 tax year.

### **Where to get more information**

If you have questions about the speculation and vacancy tax and exemptions, call the BC government at:

- 1-833-554-2323 toll-free
- 1-604-660-2421 if you're outside North America
- 711 across B.C. for Telephone Device for the Deaf (TDD) services for the hearing impaired

Agents are available to take your call from 8:00am to 5:00pm Pacific Standard Time, Monday to Friday. TDD service hours are 8:00am to 5:00pm Pacific Standard Time, Monday to Friday.

Or visit the [speculation and vacancy tax web page](#). 

# ■ Introducing New Business Members

## Advanced Property Management

Advanced Property Management Inc. is committed to providing professional, competent, reliable, and trusted strata management services to strata corporations of all sizes in the Comox Valley, including Courtenay, Comox, and Campbell River. We are committed to ensuring that Advanced Property Management Inc. and its licensees act in accordance with the *Real Estate Services Act*.

We are dedicated to advising your council in all matters, and ensuring your council and your strata corporation are acting and operating within the provisions of the *Strata Property Act* and in the best interests of your owners.

We strive to build productive relationships with councils. Good communication is a critical part of our management function. Our enthusiastic staff is available to address your questions and concerns in a prompt and courteous manner.

Contact Lorri Fugle at 250-338-2472 or [strata-lorri@advancedpm.ca](mailto:strata-lorri@advancedpm.ca)  
Visit [www.advancedpm.ca](http://www.advancedpm.ca) to learn more.

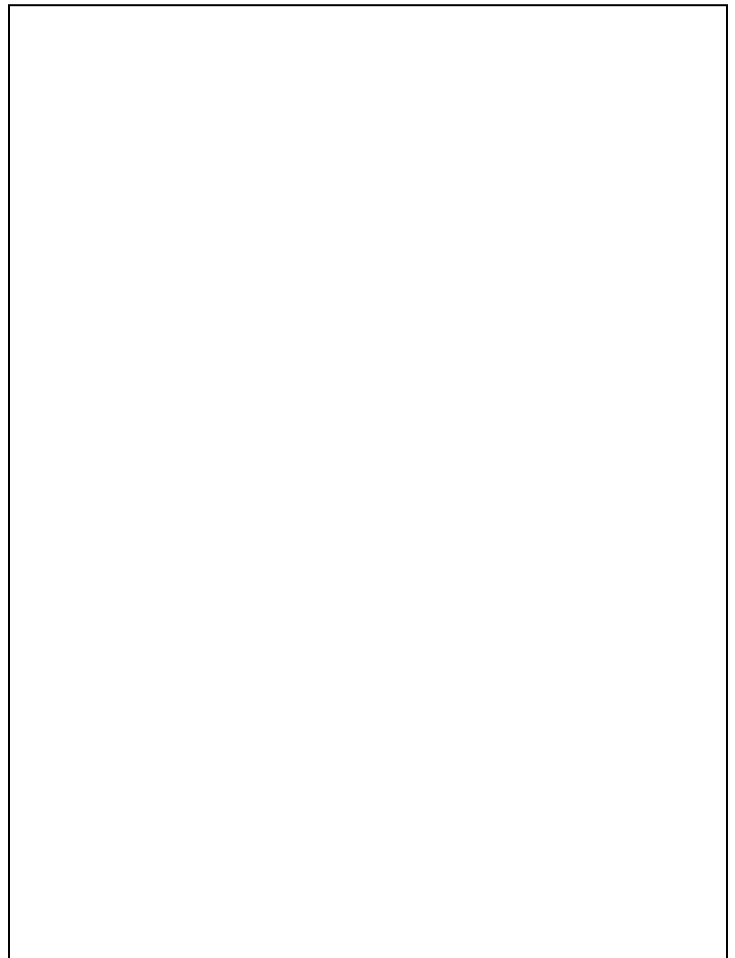
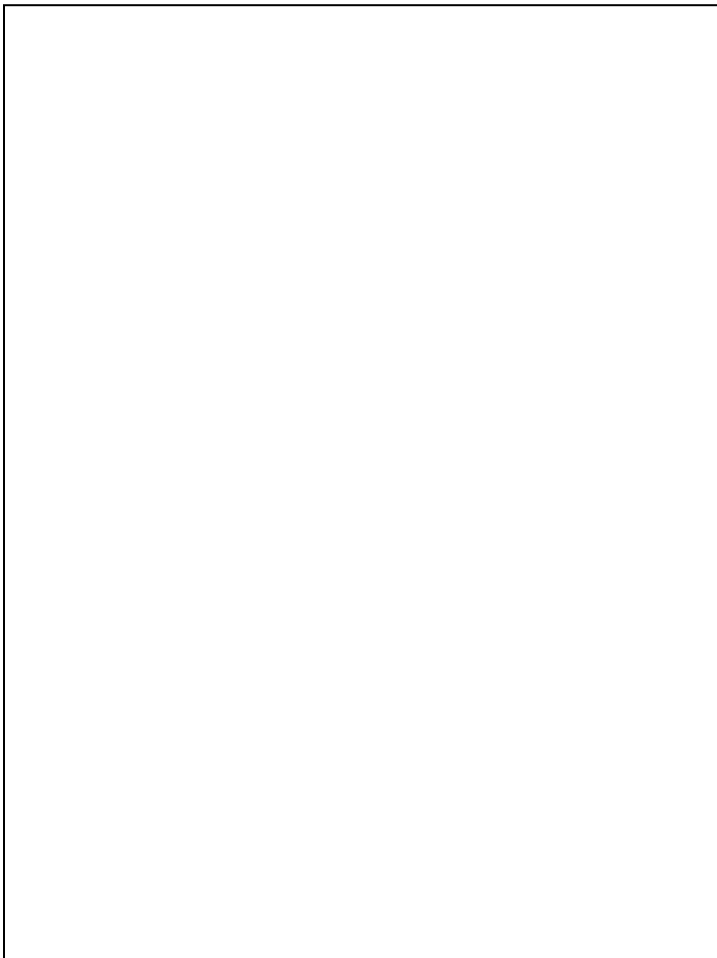
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### SHERWIN WILLIAMS CANADA

Retail Paint and Supplies

250-213-9983

[alexander.mclaughlan@sherwin.com](mailto:alexander.mclaughlan@sherwin.com)

[www.sherwin-williams.ca](http://www.sherwin-williams.ca)

### TRUSTED HOUSE PAINTER LTD.

Online Directory of Painting Companies on Vancouver Island

1-866-724-6818

[service@trustedhousepainter.com](mailto:service@trustedhousepainter.com)

[trustedhousepainter.com](http://trustedhousepainter.com)

## INSURANCE & RELATED SERVICES

### BFL CANADA RISK AND INSURANCE SERVICES INC.

International Insurance Brokers and Consultants

1-866-669-9602 • Fax 604-683-9316

[abertsch@bflcanada.ca](mailto:abertsch@bflcanada.ca)

[bflcanada.ca](http://bflcanada.ca)

### SCHILL INSURANCE BROKERS

Insurance Brokerage

236-477-5469 • 604-585-4445

[mmesic@schillinsurance.com](mailto:mmesic@schillinsurance.com)

[www.schillinsurance.com](http://www.schillinsurance.com)

### SEAFIRST INSURANCE BROKERS

Shawn Fehr & Doug Guedes

250-478-9110 • Fax 250-652-4427

[sfehr@seafirstinsurance.com](mailto:sfehr@seafirstinsurance.com)

[seafirstinsurance.com](http://seafirstinsurance.com)

### WAYPOINT INSURANCE

Commercial Insurance Specialist

604-990-8350 • Fax 250-751-2965

[jadams@waypoint.ca](mailto:jadams@waypoint.ca)

[waypoint.ca](http://waypoint.ca)

## LEGAL SERVICES

### CLEVELAND DOAN LLP, SHAWN M SMITH

Barristers & Solicitors

604-536-5002 • Fax 250-604-536-7002

[shawn@clevelanddoan.com](mailto:shawn@clevelanddoan.com)

[www.clevelanddoan.com](http://www.clevelanddoan.com)

### JASON ROHRICK

Barrister & Solicitor

778-432-0447

[jrohricklaw@shaw.ca](mailto:jrohricklaw@shaw.ca)

[jrohricklaw.com/](http://jrohricklaw.com/)

### REED POPE LAW CORPORATION

Legal Services

250-383-3838 • Fax 250-385-4324

[tmorley@reedpoppe.ca](mailto:tmorley@reedpoppe.ca)

[www.reedpoppe.ca](http://www.reedpoppe.ca)

## MAINTENANCE & PROJECT CONTRACTORS

### ALL-BRITE CLEANING

Cleaning Services

Phone/Fax: 250-480-5234

[allbritecleaning@shaw.ca](mailto:allbritecleaning@shaw.ca)

[www.allbritecleaning.ca](http://www.allbritecleaning.ca)

### BLAST OFF PRESSURE WASHING

Cleaning Services

250-474-4715

[blastoffvictoria@gmail.com](mailto:blastoffvictoria@gmail.com)

[www.blastoffvictoria.com](http://www.blastoffvictoria.com)

### CALLAWAY PLUMBING AND DRAINS LTD.

Plumbing & Drain Cleaning

250-216-7159

[info@callawayplumbing.ca](mailto:info@callawayplumbing.ca)

[www.callawayplumbinganddrains.ca](http://www.callawayplumbinganddrains.ca)

For more information regarding Business Memberships please contact us at 250-920-0688 or toll free at 1-877-338-4762 or [businessmembers@visoa.bc.ca](mailto:businessmembers@visoa.bc.ca).

*(Please note that VISOA does not guarantee or warranty the goods, services or products of our Business Members)*

# VISOA BUSINESS MEMBERS

## MAINTENANCE & PROJECT CONTRACTORS continued

### **CBS MASONRY**

Masonry, Concrete, Stone, Brick, Pavers, Flagstones  
250-589-9942  
[charlie@cbsmasonry.com](mailto:charlie@cbsmasonry.com)  
[www.cbsmasonry.com](http://www.cbsmasonry.com)

### **EDWARDS ELECTRIC (2003) LTD.**

Electrical Contractor  
250-652-9166  
[office@edwardselectric.net](mailto:office@edwardselectric.net)  
[www.edwardselectric.net](http://www.edwardselectric.net)

### **GOOD OLD DAYS HANDYMAN LTD**

Strata Building Repair & Maintenance  
250-709-1701  
[office@goodolddays.ca](mailto:office@goodolddays.ca)  
[www.goodolddays.ca](http://www.goodolddays.ca)

### **HOMEWISSE PLUMBING & DRAINAGE SERVICES LTD.**

250-642-7770  
[office@homewise.ca](mailto:office@homewise.ca)  
[www.homewiseplumbing.ca](http://www.homewiseplumbing.ca)

### **MR SPARKLE EXTERIOR CLEANING**

Exterior Cleaning Company  
250-714-6739 • 1-877-291-1251  
[mrsark1@shaw.ca](mailto:mrsark1@shaw.ca)  
[www.mrsarkle.net](http://www.mrsarkle.net)

### **OKELL WATERPROOFING LTD.**

Restorative Waterproofing for All Buildings  
250-479-8453 • 250-479-8409  
[billokell@shaw.ca](mailto:billokell@shaw.ca)  
[www.okellwaterproofing.com](http://www.okellwaterproofing.com)

### **PREMIUM FENCE COMPANY INC.**

Fence Supply & Installation  
250-800-9734  
[clientcare@premiumfence.ca](mailto:clientcare@premiumfence.ca)  
[premiumfence.ca](http://premiumfence.ca)

### **PRO DECK LTD.**

Exterior Renovations  
250-592-1622  
[info@prodeck.org](mailto:info@prodeck.org)  
[www.prodeck.org](http://www.prodeck.org)

### **PRO PACIFIC HEAT PUMPS LTD.**

Heating & Cooling Contractor  
250-655-4348  
[sales@pacificheatpumps.ca](mailto:sales@pacificheatpumps.ca)  
[www.pacificheatpumps.ca](http://www.pacificheatpumps.ca)



### **STERLING FIRE & ASSOCIATES**

Fire Safety Consulting & Fire Alarm Upgrades  
250-661-9931  
[sterlingfire@ymail.com](mailto:sterlingfire@ymail.com)  
[www.sterlingfireassoc.com](http://www.sterlingfireassoc.com)

### **TAPESTRY FINE CARPET, RUG & UPHOLSTERY CLEANING**

Carpet & Upholstery Cleaning  
236-565-1914  
[bookings@tapestryfinecarpetcleaning.ca](mailto:bookings@tapestryfinecarpetcleaning.ca)  
[tapestryfinecarpetcleaning.ca](http://tapestryfinecarpetcleaning.ca)

### **TSS CLEANING SERVICES**

Dryer Duct Cleaning Services for Vancouver Island Stratas  
1-866-447-0099 or 250-729-5634  
[info@cleandryerducts.com](mailto:info@cleandryerducts.com)  
[www.cleandryerducts.com](http://www.cleandryerducts.com)

### **VICTORIA DRAIN SERVICES LTD.**

Drainage & Plumbing  
250-818-1609 • Fax 250-388-6484  
[info@victoriadrains.com](mailto:info@victoriadrains.com)  
[www.victoriadrains.com](http://www.victoriadrains.com)

### **WE PAINT INC.**

Paint Contractor  
250-888-5385  
[wepaintinc@yahoo.ca](mailto:wepaintinc@yahoo.ca)  
[www.wepaintinc.com](http://www.wepaintinc.com)

### **WINMAR VICTORIA**

Property Restoration Specialists  
250-386-6000 • Fax 250-386-6002  
[victoria@winmar.ca](mailto:victoria@winmar.ca)  
[www.winmar.ca](http://www.winmar.ca)

### **WSP CANADA INC.**

Building Sciences  
250-475-1000  
[kevin.grasty@wsp.com](mailto:kevin.grasty@wsp.com)  
[www.wsp.com/en-CA](http://www.wsp.com/en-CA)

## PROPERTY MANAGEMENT

### **ADVANCED PROPERTY MANAGEMENT & REAL ESTATE**

250-338-2472 • Fax 250-338-2474  
[strata-lorri@advancedpm.ca](mailto:strata-lorri@advancedpm.ca)  
[www.advancedpm.ca](http://www.advancedpm.ca)



### **BAYVIEW STRATA SERVICES**

Strata & Property Management  
250-586-1100 • Fax 250-586-1102  
[reception@bayviewstrataservices.ca](mailto:reception@bayviewstrataservices.ca)  
[www.bayviewstrataservices.com](http://www.bayviewstrataservices.com)

### **GRACE POINT STRATA MANAGEMENT INC.**

Strata Management Services  
250-802-5124 • Fax 250-591-5124  
[tom@GPstrata.com](mailto:tom@GPstrata.com) • [www.GPstrata.com](http://www.GPstrata.com)

### **OAKWOOD PROPERTY MANAGEMENT LTD.**

Manager for Stratas, Co-ops, and Rentals  
250-704-4391 • Fax 250-704-4440  
[carol@oakwoodproperties.ca](mailto:carol@oakwoodproperties.ca)  
[www.oakwoodproperties.ca](http://www.oakwoodproperties.ca)

### **SOUTH ISLAND PROPERTY MANAGEMENT LTD.**

Strata Management Services  
250-595-6680 • Fax 250-595-2022  
[reception@sipmltd.com](mailto:reception@sipmltd.com)  
[www.sipmltd.com](http://www.sipmltd.com)

## STRATA COUNCIL RESOURCES

### **PROPERTY FLUTE**

Voting Platform  
778-819-2394  
[info@propertyflute.ca](mailto:info@propertyflute.ca)  
[www.propertyflute.ca](http://www.propertyflute.ca)

### **PROSHOP MUSIC CENTRE SOUND & LIGHTING**

Sound Systems for General Meetings  
250-361-1711  
[jproshopmusic@yahoo.ca](mailto:jproshopmusic@yahoo.ca)

### **STRATACOMMONS**

Strata Software Development  
250-871-4537  
[jhooton@stratacommons.ca](mailto:jhooton@stratacommons.ca)  
[www.stratacommons.ca/home](http://www.stratacommons.ca/home)

### **STRATAPRESS**

Online Communication Tools & Document Archiving for Strata Corporations  
250-588-2469  
[info@stratapress.com](mailto:info@stratapress.com)  
[www.stratapress.com](http://www.stratapress.com)

For more information regarding Business Memberships please contact us at 250-920-0688 or toll free at 1-877-338-4762 or [businessmembers@visoa.bc.ca](mailto:businessmembers@visoa.bc.ca).

*(Please note that VISOA does not guarantee or warranty the goods, services or products of our Business Members)*

## You Asked

**Q: We expect that our operating budget is going to have a deficit at the end of the year. Can we ask owners to approve a special levy to cover the deficit?**

**A:** It's a common misconception that special levies are only for large projects when there isn't enough money in the contingency reserve fund. Actually, there's no restriction on the type of expense that a special levy can be raised for. In short, yes, a special levy could be used to pay for operating expenses in a situation where the current fiscal year has a deficit. Some stratas use that method to cover the deficit instead of raising strata fees the next year.

The levy must be approved by a resolution passed by a 3/4 vote at an annual or special general meeting. [Section 108\(3\)](#) of the *Strata Property Act* lists all the details that must be specified in the resolution:

- (a) the purpose of the levy;
- (b) the total amount of the levy;
- (c) the method used to determine each strata lot's share of the levy;

- (d) the amount of each strata lot's share of the levy;
- (e) the date by which the levy is to be paid or, if the levy is payable in instalments, the dates by which the instalments are to be paid.

It might be a good idea to have a backup plan in the event that the special levy resolution fails. [SPA section 105\(2\)](#) says that the deficit must be eliminated during the next fiscal year.

The notice of the AGM could include two versions of the operating budget for the coming year: the budget that council is proposing, and another version that has recalculated the strata fees to cover the deficit if the special levy resolution fails.

When it comes time to vote on the proposed budget, eligible voters could make an amendment from the floor to increase the strata fees accordingly. These amendments and the final vote to approve the annual budget require only a majority vote to pass.

*You Asked continues on page 18*



## ■ You Asked

**Q: Can I file a CRT case against the owner above me? There was a water leak because their tub overflowed and it caused damage in my hallway and bathroom. I filed a claim with my insurance company and they paid for the repairs but I want my neighbour to pay me back the \$1,200 I paid for the deductible.**

**A:** The [Civil Resolution Tribunal](#) can handle strata disputes but they also hear other types of disputes like small claims. One of the tricky things to understand is strata owner-to-owner disputes. The claim usually has to be filed as a small claim, not a strata claim. That's because a strata dispute has to have a connection to the *Strata Property Act*. There's nothing in the SPA that requires an owner to pay another owner damages. The CRT case called *Alameer v. Zhang, 2021 BCCRT 435* has notes that explain this:

*The applicant's strata lot suffered water damage from a failed pipe in the respondent's strata lot located immediately above. The strata corporation was not a party to the dispute. The applicant claimed for the cost to repair her strata lot under the CRT's strata property*

*jurisdiction. The CRT vice chair found that a strata property claim "in respect of" the Strata Property Act (SPA) is one that could only proceed by relying on the SPA. Since that was not the case, the dispute was decided under the CRT's small claims jurisdiction with the parties' consent.*

You can read the [Alameer small claims decision](#) online. You can also [search](#) for other CRT decisions that might be similar to your own situation. It's helpful to see whether other owners in your situation were successful and what types of evidence they had.

It never hurts to get some legal advice before you file a CRT claim. A lawyer could help you determine the merits of your case, whether it's a small claim or strata claim, what outcome (remedy) to ask for, and what evidence you'll need. [V](#)

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*If you're a VISOA member you can submit your question to the Strata Support Team. Just complete the [form on our website](#).*

# Maintenance of Gutters and Drainage Systems

by John Grubb

A building's most significant function is to keep water out. Get to know the systems that drain water from your roof and away from your building.

## Gutters and downspouts

Most pitched or sloped roofs, and some flat roofs, have gutters (eavestroughs) that catch the rain water at the edge and direct it to the building's underground perimeter drains. Unfortunately, eavestroughs tend to catch leaves and debris. It's essential to clean them out and ensure the drain outlets are clear.

This is not a job for an owner or "handyman". Part of the strata corporation's responsibility is to manage risk on behalf of the owners, and the council is well advised to engage a contractor with WorkSafeBC coverage and commercial liability insurance. It is also wise, and quite reasonable, to ask for proof of such coverage before the work starts.

The downspouts leading from the gutters to the perimeter drains should be checked to ensure they're properly secured to the walls, and the pipe sections are connected together. While it is common practice in the prairies for the downspout pipe to be directed into the surrounding lawns, this is not the common practice on our "wet coast". The volume of rain here is such that the BC Building Code requires downspouts to be connected to a perimeter drain pipe system around the building's foundation walls.

## Perimeter drain system

Traditionally, a 4-inch perforated pipe located at the foundation footings was considered adequate for the dual purpose of accepting water from the roof drains and from the underground water table when it rises against the footings and foundations.

The Building Code now requires new buildings to have two separate systems of piping: one for the roof drains and another for the ground water drainage. This is intended to eliminate the potential for debris from the roof drains plugging up the ground water piping system which is necessary to keep water from seeping through the foundation walls from the surrounding water table.

The current code also requires the use of heavy grade PVC piping which replaced a much more fragile type called "Big O", which was easily damaged. Owners of older structures should be aware of the difference and be prepared for the potential replacement of damaged or deteriorated piping.

Landscaping can clog up the pipes with roots and dirt,

thus restricting their ability to drain water away from the building. The perimeter drain pipes connect to the property's storm drainage system and take the water to the municipal storm drain or other natural water course.

## Maintenance Tips

I recommend that a strata have a planned maintenance program that includes:

- cleaning, inspection and minor repair of gutters and downspouts in the spring and fall
- high pressure flushing of perimeter drains every 3 to 5 years
- if problems are encountered while cleaning out the lines, have your contractor do a video camera inspection of the piping. **V**

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*John Grubb is the vice president of VISOA and a long-time business member.*

cleanBC  
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# Heat Dome and Heat Pumps: Survey Results

In March 2022, VISOA surveyed strata owners and councils about their experiences during the “heat dome” that created temperatures above 40°C in BC from late June to early July 2021. This survey provided valuable data to Royal Roads University students whose project focused on planning for resilience. See the [complete results of the survey](#).

## Mechanical & passive cooling measures.

**29.6%**

Have an air conditioner or heat pump in their unit

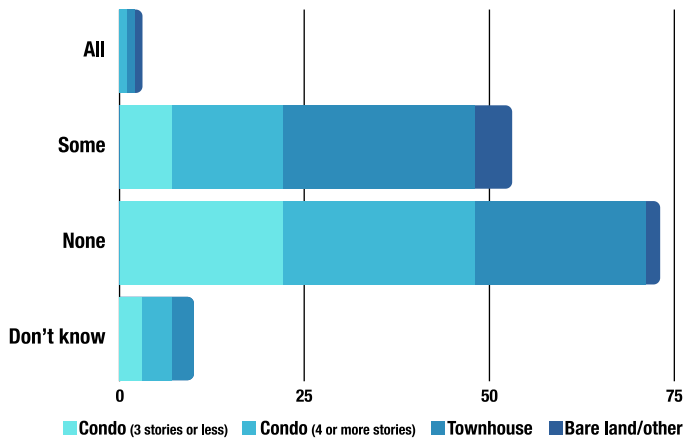


**24.3%**

Have a tree that provides shade to unit

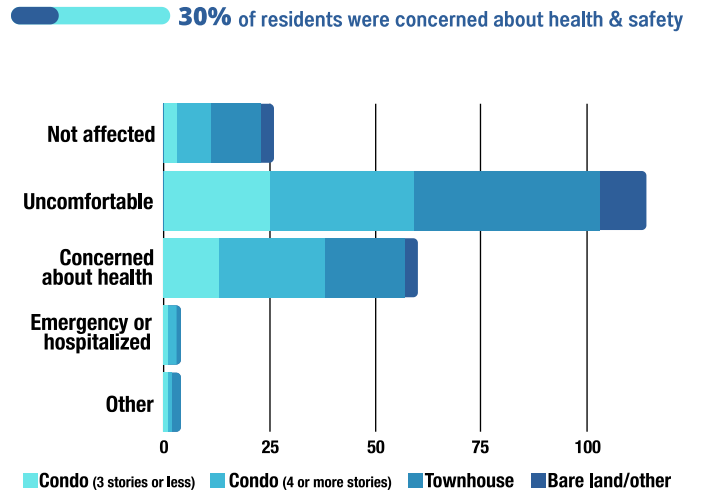


## Are residential units in your strata corporation equipped with air conditioning or heat pumps?



**79%** of stratas with indoor common areas do not have an area equipped with air conditioning or other mechanical cooling equipment.

## How did the extreme heat affect residents of your unit?



**38%**

Someone checked on me

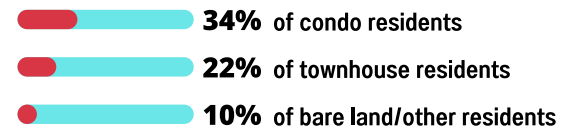
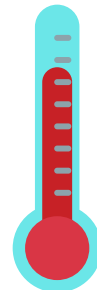


**49%**

I checked on someone in my strata

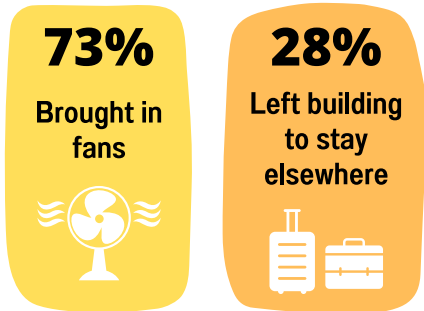


## How many residents complained to council that the building or their unit was overheated?



# Heat Dome and Heat Pumps: Survey Results

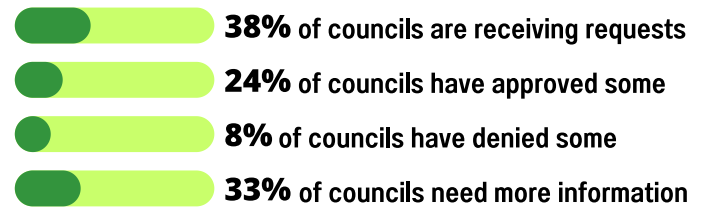
How did residents respond to the extreme heat?



**4.4%** of owners installed a heat pump in their unit after July 2021

**37%** of owners are interested in getting one

Requests from residents to install in-suite heat pumps



**13%** of strata councils posted or emailed life safety information to residents

**40%** Were not aware of any actions council could take to help residents

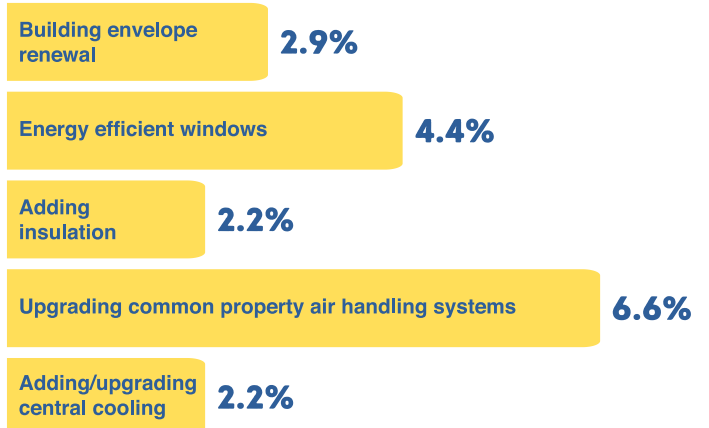
**5%** Provided a common area room with cooling

**61%** of strata councils were concerned about **senior** residents during the heatwave

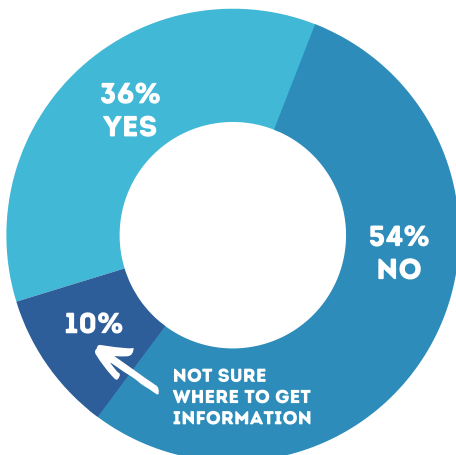


**17.3%** of stratas have or are considering bylaws to allow owners to install some types of passive measures such as blinds, awnings, and shutters.

Since July 2021 has an AGM or SGM been held, or is one planned in the near future to approve projects that will reduce overheating?



In response to the 2021 heatwave, has council sought information about possible measures to decrease overheating during future heatwaves?



# ■ President's Message

by Wendy Wall

One of the best things I ever did as a young adult was travel around Europe and Central America. It was life-changing. Travelling helped me appreciate the commonalities we share as human beings and opened my eyes to the wonderful differences.

Recently two VISOA board members, Lee Ann and myself, had the privilege of meeting David Lee, the president of the [MCST Association of Singapore](#) (MCSTAS). While the meeting was held electronically, I immediately felt a connection with David and realized that strata owners face the same challenges despite our different cultures and a distance of nearly 13,000 km.

MCST stands for [Management Corporation Strata Title](#). It's essentially the same thing as a BC strata corporation. A Management Corporation (MC) is created when a developer files a strata title (a strata plan) with the Singapore Land Authority's Registrar of Titles. Owners of units are subsidiary proprietors (SPs) who have a share value (unit entitlement) in the corporation and elect a council at their Annual General Meeting. There are about 4,000 MCs in Singapore; some are self-managed and

others hire managing agents (property managers).

David explained that unit owners in Singapore face systemic issues that affect their quality of life. Council members often don't have the necessary knowledge and experience needed to comply with the [Singapore Building Maintenance and Strata Management Act](#) (similar to the *Strata Property Act*). Councils are often dissatisfied with the services provided by managing agents (MAs) who, he says, are sometimes the source of problems. When that happens, councils have no one else to turn to for support. This often results in a cycle of council members quitting, causing more issues. Hence, many MCSTs "become unhappy dwellings, a far cry from being endearing homes".

Various ad-hoc efforts were attempted over the years, but a sustainable solution was needed. David said, "Our government has been very affirmative in us setting up an association to help improve strata living." The Association was incorporated in January 2021.

Like VISOA, the organization is made up of volunteers, who are owners from MCs. I was impressed and inspired by David's positive energy and dedication to help others. Their organization's values, mission and goals mirror those of VISOA, now in its 49th year.

I look forward to future discussions with David, and sharing ideas to improve the lives of strata owners.

[president@visoa.bc.ca](mailto:president@visoa.bc.ca)

## VISOA Board of Directors 2022

### Executive:

- Wendy Wall, President
- John Grubb, Vice President
- Andrew Thompson, Secretary
- André De Leebeek, Treasurer

### Members at large:

- Lee Ann Bartley • Len Bosch
- Charlotte Bowie • Barry Burko • George Fisk
- Susan Haggart • David Stinson

VISOA board members are volunteers. We are strata owners just like you and we are dedicated to helping the strata community.

Learn more about each [board member](#).