

Condo Law for Albertans

condolawalberta.ca/owners/issues/

Living in a condominium presents unique issues regarding people, parking, pets, and repairs. Explore the topics below for some of the most frequently asked questions.

People

What can I do about my noisy neighbours?

First, try talking to your neighbour and letting them know your concerns. They may be unaware that you can hear them or they may just need a gentle reminder about the condo's noise policy (if there is one).

If the noise continues, write a letter of complaint to your neighbour and make sure to keep a copy for your records. If this doesn't help, then write to your condo board or property management company and ask them to help.

For a more detailed overview of what to do when you have a problem with a neighbour, visit the [Dispute Resolution](#) page and read [Ask Maria: Sound Advice](#).

If I make a complaint to the condo board about my neighbour, will the condo board protect my identity?

Yes. Under the *Personal Information Protection Act*, condo boards cannot disclose who made the complaint. Your neighbour can ask for a copy of the complaint, but the condo board is required to remove any and all information that could identify you as the person who made the complaint.

For more information read [Ask Maria: Getting Personal](#) and [Personal Information Protection Act – FAQs for Condominium Corporations](#) (question 18).

Further Resources

- [Condo Concepts: The Condo Bully](#) (Maria Bartolotti)
- [Ask Maria: The Hoarder Next Door](#)
- [Condo Q&A by Robert Noce](#)

Parking

What's the difference between assigned and titled parking?

If you have a titled parking stall, it means you own the parking stall. Titled stalls can be sold with the property but assigned stalls cannot. An assigned parking stall is common property and typically leased to an owner by the condominium corporation for their exclusive use.

For more information, read [Ask Maria: The Parking Dilemma](#).

Pets

Can the condo board decide whether I'm allowed to have a pet?

Check your bylaws. Many condominium corporations have rules on whether pets are allowed, what types are allowed, how many you can have, etc. Some condominiums may also require you to get approval from the board before you get a pet.

For more information, read [Ask Maria: Pets, Parking, People](#).

How can I get my condo to change its pet bylaws?

It can be difficult to change a condominium's bylaws. Start by preparing a convincing case of the need for the changes to present to your condo board and to the ownership. Bylaw changes must be approved by a special resolution which requires approval of at least 75% of the people entitled to vote and at least 75% of the total unit factors.

Repairs & Pests

Who's responsible for getting rid of pests like bed bugs or mice?

If you spot pests like bed bugs, mice, or ants in your condominium, you should notify your property management company or condominium board as soon as possible. In an apartment-style condominium, if you have a pest problem in your unit, it is likely impacting the common property and other units. Typically, the property manager or condo board will hire a pest control company to assess the situation and take steps to eliminate the pests from the complex.

If you live in a bare land condominium unit and discover pests in your unit, it will likely be your responsibility to hire a pest control company as it is unlikely the pests are causing a problem on common property.

For more information about mice, read: [Ask Maria: Unwanted Guests – What to do when you see mice in your condo](#).

My bedroom window is leaking when it rains. Who's responsible for repairing it?

Check your condominium plan to see if your windows are part of the common property or part of your condominium unit. Generally, all doors and windows located on exterior walls of a unit are part of common property unless otherwise designated on the condominium

plan.

If your window is considered common property, it is the condominium corporation's responsibility to maintain and repair it. Contact your property management company or condominium board to have the window repaired.

If your window is considered to be part of your condominium unit, it is your responsibility to maintain and repair it. You will have to schedule and pay for the repairs. If your window needs to be replaced, make sure to check your bylaws to see if you're required to get condo board approval or follow specific architectural guidelines for the replacement window.

Who is responsible for fixing my parking stall, storage unit or balcony?

Check your condominium plan for exclusive possession areas. Exclusive possession areas are common property or a condo corporation's real property that only you can occupy. In a condominium building, exclusive possession areas are often parking stalls, storage units, and balconies.

You should check if there is a bylaw, lease, licence or other instrument outlining your responsibilities for maintenance and repair of exclusive possession areas. The condo corporation may require you to maintain and repair the areas according to the terms of the bylaw, lease, licence or other instrument.

If you fail to maintain or repair an exclusive possession area under a bylaw, lease, licence or other instrument, the condo corporation can carry out the necessary maintenance or repairs. The condo corporation may take legal action to recover from you any reasonable costs for the maintenance or repairs.

Entry to Unit

My condo board left a notice saying they want to access my unit to inspect my kitchen plumbing. Can they do this?

Yes. Your condo board has the right to access your unit to inspect, maintain, or repair common property, which may include plumbing, heating, or electrical systems.

The condo board must provide 24 hours written notice prior to entering. The notice must state the reason for entry and give the date and time of entry. The condo board or its designated agent (i.e. repair person) can only enter between 8:00 a.m. and 8:00 p.m. and cannot enter on a holiday or your religious day of worship (presumed to be Sunday unless you have otherwise informed the board in writing). You should also check your bylaws to see if this issue is addressed. Your condo's bylaws may require the board to give more generous notice periods.

In case of an emergency, the condo board may enter without notice.

Other Issues

Can I install an air conditioner in the window of my condo?

It depends on your bylaws. For more information, read [Ask Maria: The AC Conundrum](#)

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