

Bristol Court. 8020 to 8080 Ryan Road
Presentation to Council, July 22, 2013

Leasehold is different from Strata

Leaseholders

- are only long-term tenants.
- do not own any of the land or buildings.
- not protected like tenants under the Residential Tenancy Act.

Strata owners

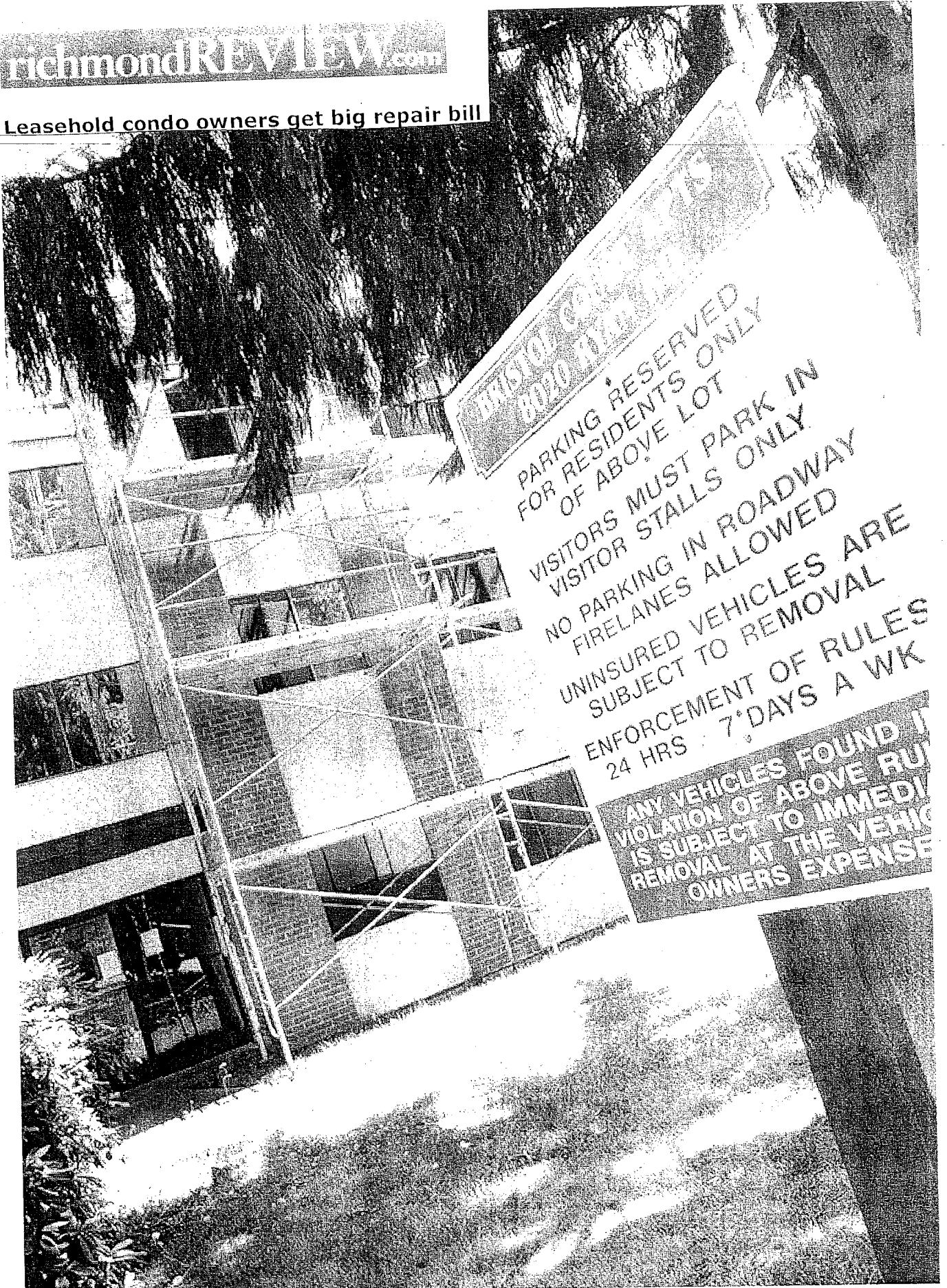
- have title to their individual unit plus a proportional share of the common property.
- have to be made aware of what is happening and VOTE to decide if they want to do the repair and how to go about it.

Our situation

- 110 units leaseholders
- home to many seniors and people with limited income
- Westsea Construction Ltd. is the lessor (headlease).
- Westsea also manages the complex.
- Westsea did not share the assessment report or any detail regarding the extent of the repair, a major \$2.7million remedial work.
- Westsea did not ask for leaseholders' input or vote to decide how the project is going ahead and how the payments will be made.
- A month ago we received a letter from Westsea letting us know
 - work is to start in 2 weeks.
 - in 2 months each one of us needs to come up with around \$2000 per month for the next 12 months. For a 3-bedroom unit this will come to \$27,000.
 - failing to pay will see a 6% interest added on.
 - the project is also on an open budget. Whatever the cost is at the end of the construction we will be responsible for making up the difference.

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Leasehold condo owners get big repair bill



By Richmond Review

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More headaches for local leasehold condo owners, this time in the South Arm neighbourhood where dozens of residents were recently informed they live in a building that needs sizable repairs.

Leasehold real estate properties can be purchased like regular properties, but they revert back to the landlord after a specified period of time, with leases running up to 99 years.

While buyers own the lease and enjoy the property at often below-market prices compared to similar-sized strata condos, they also have legal obligations to maintain the building and return it at the end of the lease in the same condition as when they purchased it.

Footing the bill at Bristol Court, 8020, 8040, 8060 and 8080 Ryan Rd., will be the leasehold purchasers themselves, who will be doling out tens of thousands of dollars each over the next two years, according to a notice by Westsea Construction that was obtained by *The Richmond Review*.

While Westsea Construction, the company that owns the four buildings, declined to comment for this story, their notices gave a detailed picture of what was happening.

"Beginning on June 24, 2013, Bristol Court will undergo remedial work, which includes demolition and replacement of the cladding, windows, sliding doors, guardrails and associated work...Please be advised that both interior inspections and asbestos abatement will require access into your unit," one notice states.

"The total costs of the project are estimated to be \$2,729,338.67 (including taxes). Your portion according to your unit entitlement is shown below; each individual leaseholder's portion has been divided into 12 equal payments. Payments are due on the first of each month starting August 1, 2013 and ending on July 1, 2014."

And for those who opt not to pay?

"Interest at 6 % will be charged on all overdue balances."

For one homeowner, the bill is \$76,520.68, though it's unclear if this is for one home, multiple units, or the result of a typo. Most residents are paying an additional \$1,400 to \$2,300 per month for a year.

If this story sounds familiar, you might recall the residents of Sussex Square, another multi-building leasehold condo complex near Granville and Railway belonging to Westsea Construction, where owners faced similarly hefty repair bills, averaging \$47,000 per unit.

Many residents at Sussex Square banded together to hire a lawyer, and take Westsea to court. But the B.C. Supreme Court ultimately ruled against the homeowners, who had failed to prove their claim that Westsea was negligent in maintaining the building and alleging Westsea's actions contributed to the damage.

Five condos at Bristol Court are currently for sale, but there's no mention in the descriptions of the assessment in any of them on realtylink.org.

Local realtor Peter Wen, who is listing a 693-square-foot one bedroom, one bathroom apartment at Bristol Court for \$116,000, said there's a requirement by law to disclose to potential buyers about the assessment the owners face.

He declined to disclose his client's share of the bill.

Another two-bed, one bath 966 square foot condo is listed for \$155,000, and billed as "total renovated...owner spent \$40,000."

But it also says: Roof repair 2011, balcony repair 2010.

Another description goes as far as to say: "Great opportunities for first time buyers and investors."

At Bristol Court, a meeting to inform the residents about the multi-million dollar repair bill was held in the parking lot outside one of the buildings on June 26.

"Please bring your umbrella if it is raining," the notice said.

For most residents, it must have felt like it was pouring.

Find this article at:

<http://www.richmondreview.com/news/215165521.html>



The building's property management company Westsea Construction dropped off assessment notices last week. Global News

Dozens of condo owners in Richmond are facing tens of thousands of dollars in repair bills they say they can't afford, and the property management company hasn't justified.

The Bristol Court Apartments is a three-storey walk-up apartment building at 8020 Ryan Rd.

The building's property management company Westsea Construction dropped off assessment notices to residents last week.

Each resident has been told they are on the hook for their portion of a \$2.9 million renovation that is set to begin next week.

That portion amounts to more than \$1,500 a month each, more than people's mortgage payments.

Residents say there was no consultation and no discussion about the extra costs.

The building is on a leasehold and there is no strata council leaving the tenants with very little legal power.

Many of the owners are seniors and people on a fixed income.

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Peter is an Online News Producer at Global BC and has been on the web desk since 2008. You can also catch him on "Trending" and on BC1.

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POLITICS

- Apartment hunters face higher rent and older buildings



Building Permits in Strata Buildings

No.: PERMITS-35

Date: 2004-11-03

Revised: 2011-08-17

Purpose:

- For clarification and information to owners, designers and contractors when written authorization from a Strata Corporation is required when submitting an application for a building permit in a strata building.

Background:

- The Strata Title Act requires that permission from a strata corporation be obtained whenever construction affects common property as defined by the Strata Title Act.

Implementation:

- Written approval from the Strata Corporation IS REQUIRED when the proposed work involves common or limited common property.
- "common property" means
 - a) that part of the land and buildings shown on a strata plan that is not part of a strata lot, and
 - b) pipes, wires, cables, chutes, ducts and other facilities for the passage or provision of water, sewage, drainage, gas, oil, electricity, telephone, radio, television, garbage, heating and cooling systems, or other similar services, if they are located
 - i) within a floor, wall or ceiling that forms a boundary
 - A) between a strata lot and another strata lot,
 - B) between a strata lot and the common property, or
 - C) between a strata lot or common property and another parcel of land, or
 - ii) wholly or partially within a strata lot, if they are capable of being and intended to be used in connection with the enjoyment of another strata lot or the common property;

"limited common property" means common property designated for the exclusive use of the owners of one or more strata lots.

Further Information:

- Should you have any questions contact your strata corporation. Questions regarding this City policy please contact the Supervisor, Permits at 604-276-4278.