



KARENE N. STANLEY & CO.
ATTORNEYS-AT-LAW

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What it means to live in a Strata.

1. Most apartments today form part of a Strata Plan. The apartment building is often in a gated complex which is attractive because the view is that an apartment in a gated complex offers more secure living.
2. Strata living in Jamaica is established under the Registration (Strata Titles) Act. Once the plan is registered at the Titles Office the Strata Corporation a legal entity is established with a unique number for example Proprietors Strata Plan # 2222 (PSP#2222 for short).
3. The Act allows apartments to be drawn on a Strata Plan wherein each apartment is identified as a Strata Lot and each owner owns a proportionate share in the common property. Ultimately, all land that was in the original title is now across all of the apartments/lots in the complex with the common areas.
4. This share in the common property is used to determine your share of costs in relation to the overall management and maintenance of the complex.
5. The Strata Corporation is authorized in law to charge maintenance [payable monthly] to cover the costs associated with the running of the complex.
6. The bigger your apartment (unit/strata lot) the greater is your unit entitlement in the common property, meaning you will be charged a higher maintenance.
7. Maintenance will increase with inflation hence maintenance fees will be adjusted as necessary to meet the costs of running the complex at a high standard. Maintenance will always be in line with inflation.



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8. The liability for maintenance is enforceable ultimately by the Strata Corporation through the Commission of Strata Corporations and through the Courts. The Registration (Strata Titles) Act also gives the Strata Corporation the power to sell your unit under Powers of Sale to recover outstanding maintenance after which the net sale proceeds will be paid to you.
9. Your rights and obligations in relation to your unit are detailed in the Amended By-Laws registered as part of the Strata Plan. In a modern development the Developer will rely on Amended By-Laws as a substitute for statutory By-Laws so as to include more details in the By-Laws for maintaining the complex in a manner which will preserve the value of everyone's investment. Typically, the Amended By-Laws that the Developer intends to apply to the development are captured in your Agreement for sale where you are buying into a new development.
10. Living in a Strata is community living and while there is an Executive who owners will elect (Chairperson, Vice Chairperson, Secretary and Treasurer) it is the owners in general meetings who are collectively to make the decisions in relation to the Strata around, suppliers, insurance, security etc. as at the end of the day all of this determines your maintenance liability and other outgoings as owner in the Strat.

The above has been provided by way of information to empower you in your choice of buying into a Strata.