

# Ruling lets condo owner put in hardwood floors

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There are times when even home renovations become a human right.

So ruled the B.C. Human Rights Tribunal after hearing the case of Halina Konieczna, a Burnaby condominium owner who wanted to install hardwood floors.

Konieczna bought her retirement condo in 1987 only to find she had a severe allergy to latex, a component of the wall-to-wall carpets in her suite.

Medical reports confirmed her allergies and asthma are also exacerbated by dust mites, mould and formaldehyde, often also

found in carpets.

Yet after Konieczna asked her strata council for permission to install hardwood floors, the council ultimately passed a bylaw restricting all floor coverings to carpet.

In a written decision two weeks ago, the tribunal ruled the strata council discriminated against Konieczna.

"Although the bylaw is neutral . . . and applies equally to all residents, the complainant is adversely affected by the bylaw because of her physical disability," the ruling states.

Although two other suites had been fitted with hardwood floors

before the bylaw was passed, the council refused to allow an exception in Konieczna's case.

The tribunal ordered the strata council to stop the discrimination and to allow Konieczna to install hardwood floors, with appropriate insulation beneath it to reduce noise.

It also awarded her \$3,500 as compensation for injury to dignity, feelings and self-respect.

As further protection, the tribunal prohibited the strata council from imposing any special levies or charges on Konieczna to cover its legal costs.

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