The QLD STRATA MAGAZINE

JUNE 2024

Can the committee be forced to perform?
Page 6 | Hynes Legal

What is the correct procedure for towing offending vehicles?
Page 20 | Strata Solve

Strata Insurance: A Brewing Storm of Change?
Page 26 | Tower Body Corporate

LookUpStrata

About Us

LookUpStrata is Australia's Top Property Blog Dedicated to Strata Living. The site has been providing reliable strata information to lot owners, strata managers and other strata professionals since 2013.

As well as publishing legislative articles to keep their audience up to date with changes to strata, this family owned business is known for their national Q&A service that provides useful responses to lot owners and members of the strata industry. They have created a national network of leading strata specialists across Australia who assist with 100s of the LookUpStrata audiences' queries every month.

Strata information is distributed freely to their dedicated audience of readers via regular Webinars, Magazines and Newsletters. The LookUpStrata audience also has free access to The LookUpStrata Directory, showcasing 100s of strata service professionals from across Australia. To take a look at the LookUpStrata Directory, flip to the end of this magazine.

Meet the team

Nikki began building LookUpStrata back in 2012 and officially launched the company early 2013. With a background in Information Management, LookUpStrata has helped Nikki realise her mission of providing detailed, practical, and easy to understand strata information to all Australians.

Nikki shares her time between three companies, including Tower Body Corporate, a body corporate company in SEQ.

Nikki is also known for presenting regular strata webinars, where LookUpStrata hosts a strata expert to cover a specific topic and respond to audience questions.

Nikki Jovicic
Owner / Director

Liza came on board in early 2020 to bring structure to LookUpStrata. She has a passion for processes, growth and education. This quickly resulted in the creation of The Strata Magazine released monthly in New South Wales and Queensland, and bi-monthly in Western Australia and Victoria. As of 2021, LookUpStrata now produce 33 state based online magazines a year.

Among other daily tasks, Liza is involved in scheduling and liaising with upcoming webinar presenters, sourcing responses to audience questions and assisting strata service professionals who are interested in growing their business.

Liza Jovicic
Sales and Content Manager

Learn more here → https://www.lookupstrata.com.au/about-us/

You can contact us here → administration@lookupstrata.com.au

Disclaimer: *The information contained in this magazine, including the response to submitted questions, is not legal advice and should not be relied upon as legal advice. You should seek independent advice before acting on the information contained in this magazine. Strata legislation is updated regularly. The information in this magazine is based on the legislation at the time of publishing.*

Contents

4 **Can we ask our body corporate manager to send monthly statements of the additionals?**
William Marquand, Tower Body Corporate

6 **Can the committee be forced to perform?**
Frank Higginson, Hynes Legal

8 **Termination vs Buyback: What actions can the committee take without owner approval?**
William Marquand, Tower Body Corporate & Todd Garsden, Mahoneys

10 **Can the body corporate prevent owners from making a claim?**
Tyrone Shandiman, Strata Insurance Solutions

12 **Failing to act: A costly gamble for Body Corporates**
Frank Higginson, Hynes Legal

14 **Is the body corporate obliged to secure residents' mail?**
Chris Irons, Strata Solve

16 **Building Code Changes: Do Existing Buildings Need to Comply?**
Stefan Bauer, Fire Matters

18 **Lot Entitlements Changed Without a Trace!**
Katya Prideaux, Mahoneys

20 **What is the correct procedure for towing offending vehicles?**
Chris Irons, Strata Solve

22 **Organising lot insurance in a gated community**
Tyrone Shandiman, Strata Insurance Solutions

24 **Is it common for committees to have pre-approved emergency funds?**
Chris Irons, Strata Solve

26 **Strata Insurance: A Brewing Storm of Change?**
William Marquand, Tower Body Corporate

28 **The SCAQ Difference**
SCAQ

30 **The QLD LookUpStrata Directory**

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Can we ask our body corporate manager to send monthly statements of the additionals?

Q **Can we ask our body corporate manager to send monthly statements of their expenses? We've asked four times for expenses related to a recent EGM, and they still haven't responded.**

A **Talk to your body corporate company about charges. If they're prepared to have a frank conversation and have evidence for charges, that's probably a good sign.**

Yes, you can. It's probably a warning sign if the answer is anything other than a transparent declaration.

Generally, your fixed costs for management and disbursement fees will be those agreed upon **in the contract**. There shouldn't be any dispute over these. The numbers on your balance sheet should correlate directly with the amounts listed in the contract. It should be easy for the body corporate to demonstrate this.

Things get more fuzzy when it comes to additional service fees. These are charged as per the agreement. There can be substantial variations on how each company applies and records' additionals. Better companies will create an invoice recording the work done and the time it took, tying the cost directly to an action. However, some companies only make a minimal recording of the task, and it can be hard to work out if you have been correctly charged.

If you talk to your body corporate company about charges and they are prepared to have a frank conversation and show you invoices and paperwork for charges, that's probably a good sign. It may be a concern if the management agency isn't approachable or doesn't have documentation to support charges.

Generally, professional service charges are applied by an allotment of the time taken to assist your scheme. You might be surprised by how long it takes.

For example, a charge for issuing a work order may be a fixed price or perhaps 15 minutes of office time. Is the charge unreasonable? It may only take a few minutes to send the work order. However, the manager may have taken several actions to complete the task. They would have received an initial contact about the problem and reviewed the issue to determine responsibility, perhaps going back to the reporter for extra information. They might then seek committee permission for the works, including reviewing funds available and whether it is within the **spending limits for the scheme**. Then, looked for an appropriate contractor and maybe called or emailed, confirmed access details and spoken to an agent. They need to ensure they get everything right because they will get the blame if something goes wrong.

The invoice may show a line item for a work order issued, but probably, there were multiple small actions and decisions before issuing the work order.

It's good to ask questions about how the system works but be prepared to be realistic about the time it takes to manage your site.

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Can the committee be forced to perform?

Q

At the AGM, the treasurer hadn't read the audit report and was unaware of overspends. Can I submit a motion to 'encourage' the treasurer to report financials regularly?

At the AGM, the treasurer admitted they hadn't read the report and were unaware of some significant overspending issues raised by the auditor. Finding out about this stuff at the end of the year is too late.

Can I submit an owner motion for the next general meeting stating that the committee/treasurer is required, or at least encouraged, to provide quarterly YTD financial reports to the owners regarding the YTD financial statement, including, but not limited to, exception reporting where YTD expenditure exceeds the budget. Similarly, an annual financial report by the committee/treasurer for the AGM, especially re overspends etc.

It this a valid motion? Is there a way to submit this motion without being ruled out of order by the chair at the general meeting under **section 88** of the Accommodation Module?

A

The treasurer will want to do it, or they won't.

What I would say to this is more pragmatic than legal.

'Encouraged to' is not an obligation. It is a suggestion only, so it is not binding. The treasurer will want to do it, or they won't. If they don't, it won't happen, so it is pointless. Whether the committee can be forced to by the body corporate is something that should be the subject of formal legal advice.

The real answer (as brutal as this is) is to get involved, participate and do the work you are asking the committee to do. If you don't want to do that, why should they? I would also observe that quarterly cash flow movements might be very different from the annual budget, so a quarterly reconciliation might not show anything realistic either.

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Termination vs Buyback: What actions can the committee take without owner approval?

Q **Owners voted to pursue the termination of the caretaking agreement. The committee is considering the caretaker's offer to buyback the management rights. What's our position here?**

Owners in our complex voted to pursue the termination of the caretaking agreement.

In the meantime, the caretaker has suggested a **price she would sell to the body corporate**. The committee is fine-tuning the offer. What actions can the committee take without prior approval by owners?

Termination would be ongoing legal fees, but a **buyback** would involve the owners finding funds immediately to finance the purchase. Most of the owners are elderly, and costs could be prohibitive.

A **It makes sense to consider all possibilities.**

William Marquand, Tower Body Corporate:

If there has been a vote to terminate, the committee is obliged to follow up on that.

However, **seeking termination is not an easy road** to take. The legal process could take quite a bit of time and money and there is no guarantee of success.

We don't know, but was the sale offer on the table before the termination motion was put to the owners? If it wasn't, it probably makes sense for the committee to at least consider the proposal and possibly present it to owners to vote on.

If you think the committee's role is to achieve the best possible outcomes for the body corporate, that has to encompass considering all available options. This isn't to say that owners would have to agree to the sale option, but it may be worth considering.

Otherwise, if you are at the termination stage, your scheme probably has a legal representative involved. Maybe they could give you an idea of the pros and cons of each proposition.

In terms of the costs, you should probably be expecting a separation from your caretaker to be expensive either way, so I'm not sure these can be the overriding option. However, empirically, I've seen a number of schemes pay off their managers and after a few years, they have gained financially and been much happier schemes after exiting what is typically a toxic relationship. It may not be as satisfying as a termination, but it makes sense to consider the possibility.

Todd Garsden, Mahoneys:

The committee can explore negotiations in-principle with the caretaker to terminate the agreement, but this ultimately needs to be approved by owners at general meeting.

This is because the regulation module specifically provides that a management rights agreement can only be brought to an end by ordinary resolution – even if the caretaker agrees to this.

Such approval would also need to authorise:

1. the spending of any funds;
2. how the spending is to be funded if it wasn't previously budgeted for (special levy, loan or adjustment to existing budgets); and
3. entry into a deed confirming the termination.

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Can the body corporate prevent owners from making a claim?

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Q **Can the body corporate structure the strata insurance so a lot owner cannot claim under the policy? Is this a viable way for body corporates to manage the claims history and the adverse impacts of claims unrelated to common property?**

A **Someone who pays for insurance and is an insured party has a right to make a claim on that policy.**

A lot owner is an insured party to the policy. They contribute to their building's insurance and have an insurable interest in the property.

When you buy a strata property, you purchase the claims history of the building. This is simply one of the things that you can't avoid. The only way to prevent this is to not own in strata.

It's crucial to understand that someone who pays for insurance and is an insured party has a right to make a claim on that policy. However, the body corporate also has a role to play. They can negotiate specific excesses, such as in the case of water damage issues, where they can request voluntary higher excesses.

Alternatively, they can recommend owners take action to maintain their property to reduce those claims.

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Failing to act: A costly gamble for Body Corporates

Volunteering to serve on a Body Corporate committee can be a rewarding task, but failing to act on important issues when they arise can make it an expensive and stressful task as well.

Strata schemes rely on the goodwill of owners to put themselves forward for roles on the Body Corporate committee. These unpaid positions are a vital component of a functioning and sustainable strata community.

But committee members can't just show up for the tea and Tim Tams at the meetings – they must act when decisions need to be made.

Committees have important responsibilities to uphold, including ensuring the Body Corporate complies with its legal obligation to maintain common property in good condition.

When an issue arises that needs to be addressed and the committee kicks the proverbial can down the proverbial road, it paves the way for potential trouble further down the track.

In particular, maintenance issues that are allowed to fester, often for years, leave a Body Corporate wide open for legal action that will most likely result in hefty repair costs and legal bills, often running to hundreds of thousands of dollars.

Problems involving water leaks and faulty water-proofing membranes that form part of the common property can be extremely expensive if not fixed quickly.

Law libraries are littered with cases where a Body Corporate has been found liable for remediation works that require a special levy to be set to cover the substantial costs – and an explicit ruling from the Court that the complaining lot owner is to be exempted from paying the levy.

In most cases, the costs would have been minimised if the committee had faced up to its obligations and addressed the issue the moment it was raised.

An active and properly functioning committee should not treat the scheme's maintenance budget like it's their own money; the budget is all the scheme members' money and should be spent to maintain the common property in everyone's interests.

Repairs can be complex undertakings, involving engineering reports and multiple tenders. Accurate record keeping is a vital part of the Body Corporate committee's role.

In a governance system where the committee can change membership every year, a clear and accurate history of past committee decisions is essential for the ongoing trouble-free operation of the scheme.

Poor record-keeping will only exacerbate an ongoing maintenance problem. New and sometimes inexperienced committee members need to be able to rely on a clear decision-trail to expedite a repair issue or it risks snowballing into a protracted and unnecessarily expensive affair.

The Courts will not regard with favour poor or absent records. Administrators have been appointed to take over the operation of dysfunctional committees where decision making has stalled or gone entirely off track.

These twin issues of failing to deal with problems in a timely manner and failing to keep accurate records can come back to haunt a strata scheme years after an initial problem has been raised.

In short, volunteering is good for the soul – but make sure you earn the karma boost by being an active and diligent committee member.

By Frank Higginson | Partner, Hynes Legal

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Is the body corporate obliged to secure residents' mail?

Q **Our mailboxes were removed and residents' delivery of mail and parcels is not secure. Is the body corporate obliged to secure residents' mail?**

Is the body corporate obliged to secure residents' mail?

A previous committee removed the resident's mailboxes. During office hours, mail and parcels are left with the Building Manager. After hours, mail and parcels are left in an unlocked box on the sidewalk, accessible by anyone. I've requested the committee and caretaker either put a secure lock on the box or provide a better system. The committee refuse to answer.

A **If you're an owner, you have a right to submit a motion to the committee.**

The only legislated responsibility in relation to mail is found in **section 183**(1) of the Standard Module (equivalent provisions of other Modules), reproduced below:

183 Mailbox and noticeboard

The body corporate must—

a. maintain a mailbox clearly showing the body corporate's name in a suitable position at or near the street alignment of the scheme land; or

b. make suitable alternative arrangements for the receipt of mail.

There is nothing here about 'secure' mail, although perhaps you could argue 'suitable alternative arrangements' may include securing mail.

The receipt of mail may be covered by the agreement between the **management rights holder** (aka, building manager) and the body corporate, although equally, the agreement may not cover it at all. Each agreement is different, so you'd need to check. I have lived in bodies corporate where the management rights holder had specific obligations about the mail, but I also know of other bodies corporate where the opposite is true.

You say you have asked for a lock to be placed on the box or for it to be removed. The **decision-maker here is the committee** (or even possibly a meeting of all owners), not the management rights holder. If you are an owner, you have a right to **submit a motion to the committee** and if it is refused, or there is no response in a set time period (usually six weeks), you have the right to dispute the decision (or non-decision in this case) through the Commissioner's Office. If you are an occupier (aka, tenant), you can also dispute things in the Commissioner's Office, although you may want to firstly engage with your landlord or property manager to see if they can facilitate an outcome for you.

This is general information only and not legal advice.

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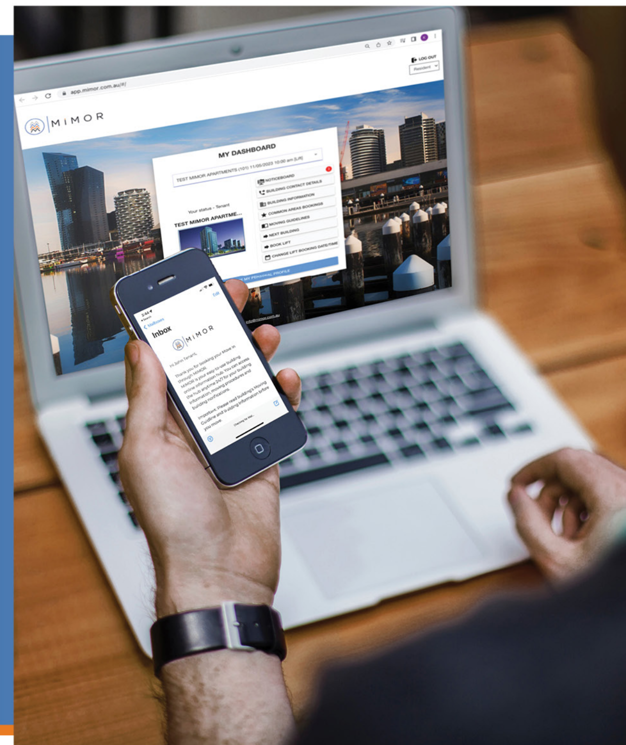

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Building Code Changes: Do Existing Buildings Need to Comply?

Q

If a building was certified for occupation without extinguishers in common entries, do we need to conform with current regulations?

Our scheme of seven lots was built in 2001 and a Certificate of Occupancy – Form 11 was issued. The certificate covered two three-level buildings. Neither had fire extinguishers in the common entry. I believe these are now required.

If the buildings were certified for occupation without extinguishers in common entries, do we need to conform with current regulations?

A

Rarely are new changes to legislation retrospective.

It is correct that the building has to comply with the building code of the date of construction. Therefore, if the building has been approved without extinguishers, there is no requirement to install them. Rarely are new changes to legislation retrospective.

Stefan Bauer I Fire Matters
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Documentation Compliance

How do you know if your fire safety documentation is compliant?

The Problem: Discrepancies & Data Loss

Discrepancies can range from simple mismatches between input dates and the date of inspection to tasks that should be recorded being overlooked in online portals, leading to incomplete documentation.

Losing access to your data is even more serious. This can happen when technicians change company or in cases of insolvency or company acquisition. Even disputes with service providers can escalate to the point of your access to their system being revoked. All result in lost access to vital records.

The Solution: A fire safety audit

As part of our fire safety audit, we review your building's documentation and can identify any areas that are non-compliant.

If you don't have one, we also recommend installing a document box on your property. Hard copies are the simplest way to protect your data and ensure that fire safety plans and system maintenance records are up to date.

In the unfortunate event of a fire, readily accessible documentation detailing evacuation plans, emergency contacts and equipment locations can drastically reduce response time, safeguarding both occupants and property. This not only minimises confusion during critical moments but also aids in maintaining fire safety systems through regular inspections and maintenance.

Stefan Bauer
Fire Matters

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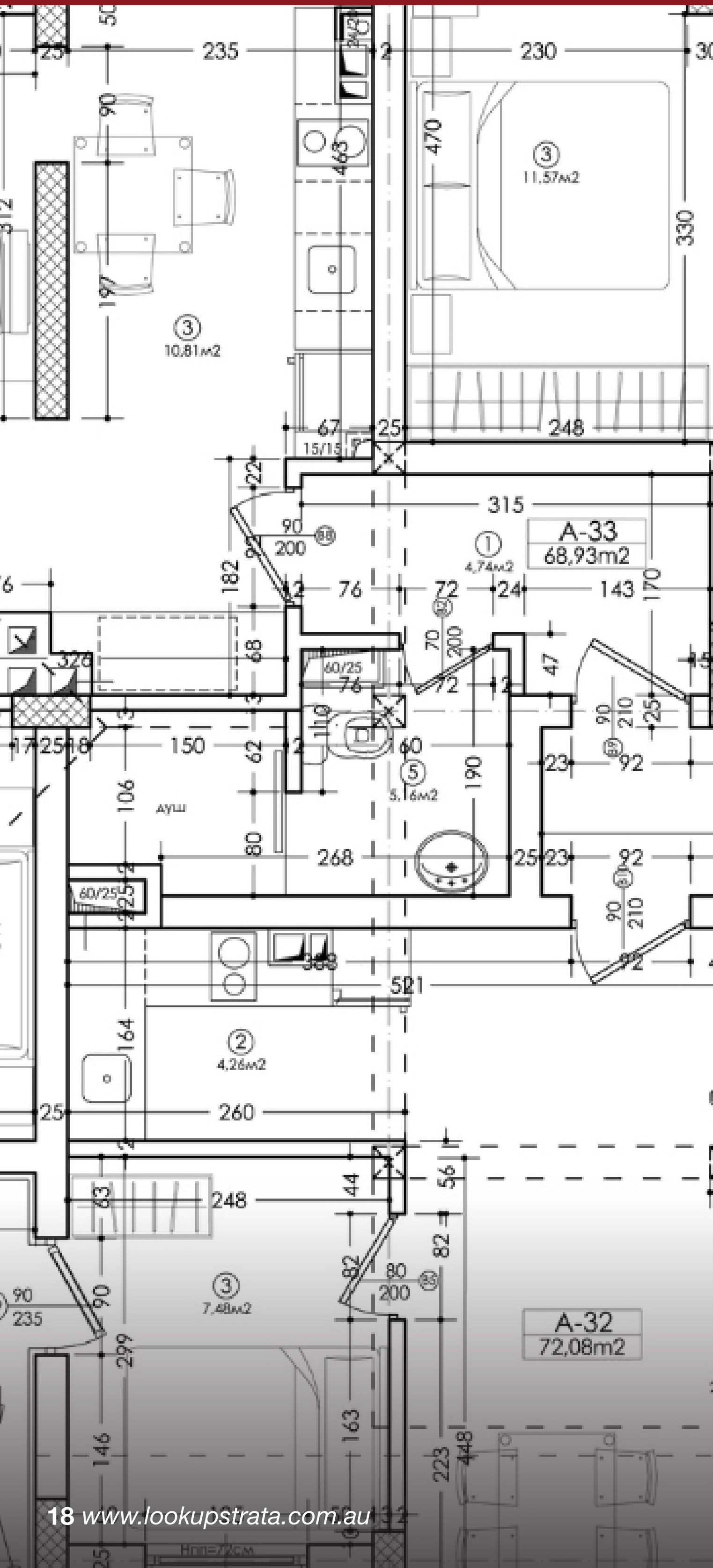
Lot Entitlements Changed Without a Trace!



Q **Over the past 20 years, lot entitlements in our building were changed three times, but I'm unable to find any mention of the changes in the body corporate records. Why is that?**

I purchased my apartment in 2020. Friends who have owned an apartment since the building was built in 2000 told me that lot entitlements were changed, but owners were not given an opportunity to vote on the decision.

After investigating, I found that since the **original CMS** in 2000, the lot entitlements have been amended three times – in 2009, 2012 and 2013. The minute book does not show any owner motions dealing with amending lot entitlements, and I'm unable to find any mention of a committee meeting approving a change.

The changes benefitted the majority of committee members who live in the most valuable apartments.

Is it possible to change lot entitlements without a minuted owner or **committee motion**?

A **There should be some record of the change minuted in either a body corporate or a committee resolution.**

The way in which lot entitlements could be amended has undergone numerous changes since the *Body Corporate and Community Management Act* (**BCCMA**) was introduced. Each change required that the lot entitlements be determined based on different principles and provided for different mechanisms and processes to effect an amendment. Accordingly, at certain times, it was easier for bodies corporate to change the lot entitlements within the scheme. At other times, it was more difficult and more onerous obligations were placed on bodies corporate to effect the amendments.

The amendments to the lot entitlements within your body corporate may have been made at a point and time where it was easier for the body corporate to secure the changes. However, regardless of the mechanism to change the lot entitlements in place at the time, there should be some record of the change minuted in either a body corporate or a committee resolution.

At present, the process of changing lot entitlements is more difficult than it historically has been. The BCCMA provides for specific requirements and processes to change or challenge an amendment of the lot entitlements. Generally speaking, any change can be made by way of resolution without dissent (meaning that no owners can **vote against the motion** to change it) or by an order of a special adjudicator of the Office of the Commissioner for Body Corporate and Community Management or QCAT, in limited circumstances.

The **body corporate records should be reviewed** in detail to ascertain whether there is any explanation or context as to the changes that have previously been made. Depending on the findings within the body corporate records, it may then be worth seeking legal advice to confirm the next steps and ability to challenge or revert any improperly changed lot entitlements.

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What is the correct procedure for towing offending vehicles?

Q What is the correct procedure for towing offending vehicles if and when the offender has failed to comply with a direction to remove the vehicle?

I chair the committee for a light industrial/ storage facility. Owners and tenants park unregistered vehicles for extended periods in visitor parking and common areas. Do we have the authority to tow the vehicles?

Our CMS has been updated to include a regulation on 'goods and chattels' left in common areas. We are updating the CMS to include the right to tow vehicles.

What is the correct procedure for removing offending vehicles if and when the offender has failed to comply with a direction to remove the vehicle?

A While a corporate body 'can' tow, they should also consider whether they 'should' tow and the consequences.

The new laws that commenced on 1 May 2024 give bodies corporate the ability to tow. Here is **section 163A**:

163A Towing motor vehicles from common property

1. Nothing in this Act prevents a body corporate for a community titles scheme from towing a motor vehicle from the common property for the scheme under another Act or otherwise according to law.
2. If a motor vehicle owned or operated by the owner or occupier of a lot included in the scheme and parked in contravention of a by-law for the scheme is towed by the body corporate, the body corporate is not required to comply with a requirement under chapter 3, part 5, division 4.
3. In this section—

motor vehicle see the Transport Operations (Road Use Management) Act 1995, schedule 4.

Looking at the above, where that leaves you, it would seem, is that the body corporate can tow, and can tow without having to go through the usual by-law contravention process. That's so long as it is a 'motor vehicle' as defined, namely:

- motor vehicle means a vehicle propelled by a motor that forms part of the vehicle, and—

a. includes a trailer attached to the vehicle; but

b. does not include a low powered toy scooter, a motorised mobility device, a personal mobility device or a power-assisted bicycle.

I suggest you try and get some consensus and cooperation in the first instance from all owners and tenants. Perhaps a warning to let them know **the law has changed around towing from a strata scheme**. I know several bodies corporate are going down the 'warning first, tow second' path at the moment.

That would ideally be in writing. Remember, while a body corporate 'can' tow, they should also consider whether they 'should' tow, and what the consequences will be. For example, will towing result in putting owners and tenants offside and thus create additional disputes and costs?

This is general information only and not legal advice.

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STRATA SOLVE UNTANGLING STRATA PROBLEMS

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UNTANGLING STRATA PROBLEMS

Strata Solve helps people untangle and resolve their strata issues. Sounds simple when you put it like that, doesn't it?

Director Chris Irons (pictured, with his strata-approved greyhound Ernest) has an unrivalled strata perspective. As Queensland's former Body Corporate Commissioner, Chris has seen and heard virtually every strata situation and nuance. He knows that while legislation provides a framework, there are many ambiguities to navigate through and in which pragmatism, common-sense and effective communication are vital.

As an independent strata consultant, Chris provides services which are all about empowering owners, committees, managers, caretakers, and others, to protect their strata interests. With a high-profile media and online presence, and as an accredited mediator, Chris is also able to carefully 'read the room' and craft the right narratives in even the most complex strata situation.

Strata Solve is not a law firm. Chris instead thinks of steps you can take before you embark on lengthy, costly, and stressful legal proceedings. Regardless of the client, all people in strata have one thing in common: their substantial investment in the strata scheme. Strata Solve prioritises that investment in each tailored solution we provide.

Get in touch to find out more.

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Organising lot insurance in a gated community

Q

I live in a gated community with 160 freestanding houses. There are no common walls. Most insurance companies won't offer insurance. What do we do?

I live in a gated community. It is hard to get insurance. The strata plan is an accommodation module, approx 160 freestanding houses, most on poles. Lot owners own the house and the lot. There are no common walls or roofs. The remainder of the property falls under strata. There is a live-in manager on site.

Most insurance companies I've approached won't offer insurance. Not all strata schemes are the same.

A

If participation in a voluntary insurance scheme via the body corporate is not possible, we recommend directly applying for home insurance.

In gated communities with freestanding houses, particularly those not sharing walls or roofs, finding suitable insurance can indeed be more challenging.

Strata legislation permits the body corporate to organise a **voluntary group insurance scheme** for properties without shared walls. However, this approach often stumbles on the requirement by insurers to cover all lots, which can prove challenging to achieve in practice, given all 160 lots must agree to the voluntary insurance scheme.

Given these hurdles, individual lot owners are advised to pursue standalone home building insurance. Many insurers will cover freestanding homes within strata-titled communities, provided the property's circumstances are clearly communicated. A common issue arises when insurance applications automatically flag or decline coverage upon discovering the property is part of a strata title, primarily due to insurers' caution against inadvertently covering properties with shared structural elements.

Experience shows that when lot owners, particularly those with standalone homes, clarify their situation—emphasising owners' obligations to arrange insurance (not the body corporate) under the *Body Corporate & Community Management Act* —insurers are often more accommodating.

This clarification helps differentiate their properties from the more commonly perceived strata units, which share walls and other structural elements.

Therefore, if participation in a voluntary insurance scheme via the body corporate is not possible, we recommend directly applying for home insurance. When doing so, it's crucial to explain the specific circumstances of your property to the insurer.

Tyrone Shandiman | Strata Insurance Solutions
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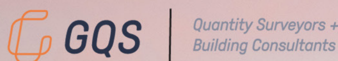

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Is it common for committees to have pre-approved emergency funds?

Q

Some committee members would like a pre-approved amount they can spend for emergencies. Is it common for committees to have pre-approved emergency funds?

A recent proposal from the strata committee chair and secretary in our community title scheme has sparked some debate. They've proposed a **motion for the committee** to pre-approve a set amount they could spend without needing approval.

The justification for this is to allow for a quicker response in emergencies. However, some owners feel strongly that all spending decisions, regardless of urgency, should be discussed and voted on by the committee.

Is it common practice for strata committees to have pre-approved emergency funds? Would the motion be valid?

A

Contingency fund, rainy day fund, slush fund – there is no provision for any of it.

What is being described here sounds like a contingency fund. Others may call it a rainy day fund, while the cynics may refer to it as a slush fund.

Regardless of the name, there is no provision for any of it. Spending, as you suggest, is highly regulated in a body corporate, whether it be spending by the committee or spending approved by all owners at a general meeting. Personally, I think there is some merit in changing legislation to allow for contingency funds or contingency spending. That's just my opinion, though.

On the issue of **'emergency' spending**, while I can appreciate the intent, spending must still go through a correct approval process. There is scope under Qld's legislation to obtain an emergency spending order from an adjudicator. I have seen such orders made in a matter of hours. I would caution though, what is and is not an 'emergency' is carefully considered by adjudicators. Put it this way: if something has been known for some time and not attended to, such as an item of maintenance, then by definition, that could never be an 'emergency'. A genuine emergency is something like a **flood, storm**, earthquake or the roof blowing off.

So yes, I see problems with the suggested motion.

This is general information only and not legal advice.

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Strata Insurance: A Brewing Storm of Change?

Q

Our new body corporate manager charged more for insurance commission than originally agreed. We have proof, but they won't refund the difference. What are our options?

We initiated a contract with a new body corporate manager in December 2022 based on an emailed quote on letterhead signed by the company principal. Two prices were offered, depending on whether the body corporate company organised the insurance and were paid a commission. The offer excluding insurance commission was $800 dearer than if the manager arranged the insurance and earned a commission.

We chose the cheaper quote, allowing for an $800 insurance commission to be paid from the premium. Within six months, the business sold and the insurance broker changed to a broker who pays higher commissions.

The premium breakdown shows the manager's commission component of $2300. We provided evidence of the original agreement and requested a refund of the difference, but the new manager hasn't responded. What are our options?

A

Check specific wording in the contracts and what they allow the new management company to do.

I suspect this will come down to the specific wording in the contracts and what they allow the new management company to do. As the next step, the body corporate should probably contact a body corporate specialist solicitor and have them review the wording of your contract and advise. This will cost you a little money, but the certainly this will provide is worth it.

Whatever the outcome, it is odd that the new management company hasn't responded in a reasonable timeframe or manner to your questions. They may have some reasonable points to make and may be correct in their interpretation of the contract, but starting a new relationship with a dispute and poor service doesn't seem the best choice. Whatever happens, I expect you will make your own decisions about the value of continuing the relationship on the basis of this interaction.

Another alternative is to arrange your insurance through an independent broker. In that case, they could provide you with a **renewal offer**

that wouldn't include a commission to the body corporate manager – although there are fees from the broker. Insurance issues would be managed between the committee and the broker. If you went down this path, you would also need to **review your contract**. Some companies have a penalty clause in their agreement to manage situations where they don't receive a commission, and some don't. Check that before making any decisions. By the sounds of things, your insurance is due soon anyway, so it may be difficult to arrange this at short notice. It could be something to consider for future years.

More generally, insurance commissions will be a central battleground between customers and management companies over the next few years. The commission system has had its merits over time. It has successfully helped body corporates nationwide ensure they have the required coverage. However, the fatal flaw with the system is that the commission paid to the management agency is usually based on a percentage of the premium. As **premiums have shot up** in recent years, manager's commission payments have also increased, resulting in consumer dissatisfaction with the commission set up. **Body corporate companies and related authorities** have been slow to react. Hopefully, change is on the horizon. And, as you might expect, many body corporate companies have become more than a little addicted to the extra revenue that has rolled in from rising premiums, making it hard for them to contemplate alternatives. As a result, disputes like yours are becoming more commonplace.

It will be interesting to see how the market reacts. My company, for example, has already moved on to a new insurance management system. You might expect to see more small to mid-sized body corporates with greater flexibility in their operations bring out alternative offers over the next couple of years. Perhaps the number of customers wanting change will reach critical mass, resulting in widespread change across the industry. Maybe your scheme will be in the vanguard of that movement.

William Marquand | Tower Body Corporate
willmarquand@towerbodycorporate.com.au

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- Save you money
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Professional strata manager is not a term regulated or protected by Government. The only professional strata managers who are endorsed or accredited in any meaningful way are those who have been through the SCAQ accreditation and training.

The SCAQ Difference

The SCAQ pathway for accreditation and ongoing professional development is recognised nationally and internationally. When you choose a professional strata manager you entrust them with your money and compliance with your obligations, it is important to have someone you know can be trusted.

SCAQ members, unlike other strata managers having rigorous external standards put upon them, and they are answerable to best practice standards across industry.

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nce

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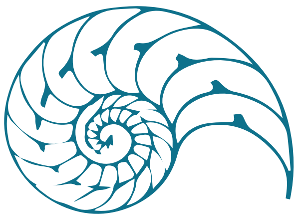

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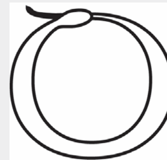

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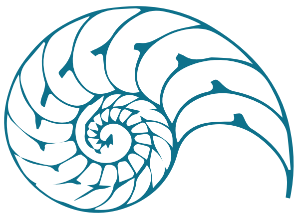

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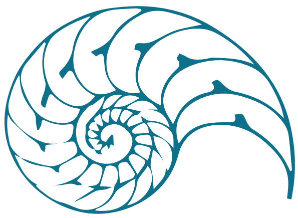

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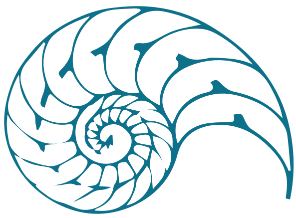

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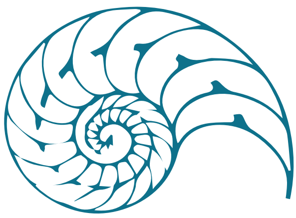

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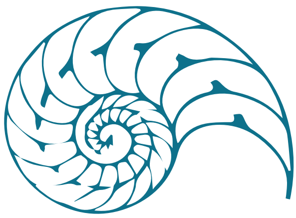
E: info@leafsheild.net.au



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E: sean@greenguys.com.au

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E: Info@humenergy.com.au

Fair Water Meters
Fair water - fair bills
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W: https://fairwatermeters.com.au/
E: info@fairwatermeters.com.au

CONSULTING

Strata Solve
Untangling strata problems
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W: https://stratasolve.com.au/
E: chris@stratasolve.com.au

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W: https://www.luna.management/
E: info@luna.management

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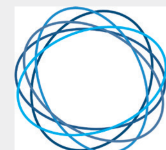
W: https://www.rfmfacilitymanagement.com.au/
E: nathan@rfmfacilitymanagement.com.au

ENERGY



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E: valuations@strataval.com.au

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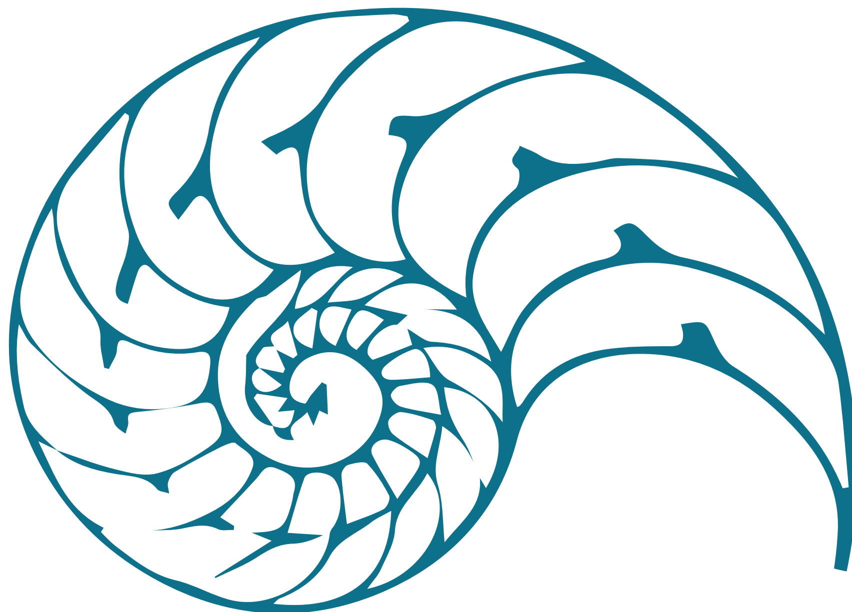

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