

28/09/2012

To Research Director
Legal Affairs and Community Safety Committee

Dear Sir

RE: Body Corporate and Community Management and other Legislation Amendment Bill 2012

I wish to applaud the Attorney General and Minister for Justice, the Honourable Jarrod Bleijie MP for introducing the above Bill to Parliament on the 14/09/2012.

In March 2004 our Original Lot Entitlements were changed so that every owner in our complex paid the same levies. The Specialist Adjudicator delivered the Adjudicator's order to the Commissioner for the Body Corporate and Community Management. The Adjudication order and details were presented to all parties on 5th March 2004

"That contribution entitlements be adjusted to be equal for each of the 54 lots within Surfers Links, Bronberg Court, Southport 4215"-
which was fair and equitable!

I was appalled when the 2011 reversion process was passed and was instigated on receiving a letter from ONE owner who was complaining that his levies had increased

It was ridiculous to allow one single owner the ability to effectively overturn a lawful order of an independent court, tribunal or -in our case -specialist adjudicator, which deemed the previous contribution lot entitlements to be unfair and iniquitous.

This Bill rightly addresses this issue by

- a) removing the ability of a single lot owner to compel the Body Corporate to undertake the reversal process and
- b) provides a process for previous adjustments orders to be re-instated

- Under the current timeframes provided within the Bill a Body Corporate committee that is adverse to reinstating a previous adjustment order may delay the reinstatement of the previous adjustment order by up to six months on the current timeframes as contained within the draft Bill. Suggested

Amendments as follows -

Sections 403(3) 30 day period is sufficient

Section 403(4) there is no maximum period -suggest maximum timeframe of 45 days

Section 404(2) No timeframe - suggest a period of 14 days

Section 404(4) 90 days to lengthy -suggest 60 day time period!

The 2011 amendments drastically affected my situation. I am a single pensioner living on my own, and there is indeed a number of us in "Surfers Links" who are in the same position. "Surfers Links" is a low rise complex in Southport consisting of 54 X 3 bedroom /2 bathroom Townhouses.

Before 2011 my Body Corporate Levies were \$619.58 Net per Quarter

After the amendments in 2011 they went to \$ 1137.97 Net per quarter.

This is absolutely and totally unfair as everyone in the complex lives in 3-bedroom townhouses and we all share the same common areas. We do not have lifts, just a pool and meeting room. Further more, this adjustment affects our water rates. I have recently paid my water rates for six months, which was \$789.60. 18 months ago I paid \$596.68 - nearly \$200 increase and I live on my own!

This Bill that has been introduced in September is extremely welcome and most appropriate to our Complex

I congratulate the Government for taking this initiative

Kind Regards
Dawn Beveridge

