

Body Corporate & Community  
Management & Other  
Legislation Amendment Bill 2012  
Submission 076

Helen L Klaassen  
[REDACTED]

12 October 2012

Body Research Director  
Legal Affairs & Community Safety Committee  
Parliament House  
George Street  
**BRISBANE 4000**

Dear Sir

**RE: SUBMISSIONS REGARDING BODY CORPORATE & COMMUNITY MANAGEMENT & OTHER  
LEGISLATION AMENDMENT BILL 2012**

I am an owner of unit [REDACTED] being lot 40 in CTS 31804.

I congratulate the Government on taking the initiative to introduce the abovementioned *Amendment Bill 2012* and welcome the proposed changes to the inequitable amendments passed by the previous Government in April 2011.

My body corporate fees have increased from \$7,213.40 pa to \$11,859.01 pa since the 2011 reversion process which has had a significant impact on my husband's and my cost of living.

My belief and independent advice is the 2011 reversion process was defective and totally inequitable to allow a single lot owner the ability to overrule a lawful order of the Court, Tribunal or specialist Adjudicator which ruled the previous contribution lot entitlements to be unfair and unbalanced.

The new Bill addresses these issues however I feel there are some sections which require amendment and therefore I respectfully put forward my submission.

**SECTION 403(3)**

I feel 60 days is excessive and submit that a 30 day time period is sufficient for a committee to give notice to each lot owner upon receipt of a request from a lot owner under Section 403(2).

**SECTION 403(4)**

There is no maximum timeframe to be applied to the submission period.

Where a committee was not in favour of the reinstatement of the previous adjustment order for whatever reason, it will present the committee with the opportunity to intentionally delay the submission periods for as long as it wished and this could become a tactic for some Committees.

Might I suggest for your consideration a maximum timeframe of 45 days should be included with the provisions to prevent a committee from unduly delaying the reinstatement of a previous adjustment order.

**SECTION 404(2)**

Again the Bill provides no time frame in which a committee must make a decision and the opportunity exists for those committees who are against the reinstatement of a previous adjustment order to prolong a decision indefinitely.

I submit that a period of 14 days should be applied to the provision of Section 404(2) in order for a committee to make it's decision.

**SECTION 404(4)**

After the committee makes a decision, a period of 90 days to lodge a request to record a new community management statement is an unnecessarily lengthy period.

A 45 day time period should be sufficient for a committee to lodge a new CMS.

I sincerely hope that you will give consideration to my submissions and again I cannot be more grateful that the Government has seen the common sense to reinstate previous adjustment orders which were lawfully applied and I feel that finally a sense of fairness has prevailed.

Yours Faithfully

  
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Helen L Klaassen