

14<sup>TH</sup> OCTOBER 2012



Body Corporate & Community  
Management & Other  
Legislation Amendment Bill 2012  
Submission 107

The Research Director,  
Legal Affairs and Community Safety Committee,  
Parliament House,  
George Street,  
BRISBANE. Qld 4000

Re: BODY CORPORATE AND COMMUNITY MANAGEMENT AND OTHER  
LEGISLATION AMMENDMENT BILL 2012

Dear Sir/Madam,

We are in support of the above legislation introduced into the Queensland Parliament on Friday, September 14, 2012.

Accordingly, we submit for your Committee's scrutiny our submission.

Body Corporate Contributions pay for the management, facilities and maintenance of a property. These should be equally shared between all owners to whom they are equally available. The only variations should be assessed on the number of people allowed to occupy each unit.

The complex we reside in has two blocks of three storeys, each with identical access to all the common property. Therefore contributions should reflect this.

The third block have access to a lift and their contributions should be weighted accordingly to cover the extra expenses incurred with running and maintaining the lift.

The original builders contribution schedule, set in 1996, was directly linked to their ability and urgency to sell units.

In 2003 the contribution schedule was changed, ratified by the court and correctly processed, to be fair and equitable to all owners.

After the change in legislation in 2011, and a successful application by one owner, which could only be challenged on legal grounds, the contributions were reverted to the builder's original schedule.

This has forced us to become a two tier community, with half the owners contributing considerably more in Body Corporate Contributions, therefore subsidizing the other half and receiving nothing extra in return.

As an example -

Two units almost comparable in size.

Original builder's schedule -

One unit had 233 contributions and the other 367.

In 2003, with the adjusted schedule-

One had 126 contributions and the other 123.

With the reversion to the original schedule, the financial difference in annual contributions for these units is \$3000.

For some others it is even greater.

These differences cannot in any way be justified, and go against the principles of fairness and equality, an integral part of our society.

We therefore applaud and support your proposed rectification of this unjust law.



Camillio and Jeanette Mahricks.

