

Mr Ken Daiken
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Body Corporate & Community
Management & Other
Legislation Amendment Bill 2012
Submission 181

5th October, 2012

The Hon Mr J Bleijie MP
Attorney-General and Minister for Justice
GPO Box 149
BRISBANE QLD 4001

Mr Bleijie,

I am writing in regards to the **terrible injustice** which has occurred since the precedent was set in 2004 for the adjustment of lot entitlements in CSLE' s by seeking an order from a court and now the removal of the reversion process.

Mr Bleijie you said "that the reversion process disadvantaged many lot owners, who had been forced to pay thousands more each year in body corporate fees" , **but Mr Bleijie that is exactly what the original precedent did to us, low and fixed income earners, in 2004.**

I am a 65 year old age pensioner who lives in a low floor unit in Maroochydore. Since purchasing my unit 4 years ago, my body corporate has risen from \$6,000 to its current level of \$9,400. Mr Bleijie, I am on the age pension and if I had any idea when I purchased my unit that the body corporate fees would reach such an astronomical sum, approximately 45% of my age pension, I would never have bought it. I have had my unit on the market for over 2 years and had no interest due to the high body corporate fees.

You see Mr Bleijie the people who have received the unfair advantage of a reduction in their lot allocation and body corporate fees are the wealthier Penthouse and upper floor owners, who knew exactly what their body corporate fees would be when they bought their units.

My body corporate fees where increased to \$9,400 per annum when the Penthouse owner in my building, sought a court order to have her lot entitlement reduced, under the 2004 precedent. This meant that even though her Penthouse has 3 times the floor area of my unit and her lift usage is 3 times mine and all of the maintenance costs are much higher, but most importantly, she knew exactly how much the body corporate fees were when she bought her Penthouse. Her body corporate fees have now decreased by \$8,000 and she is paying the same as I am.

I have just used this instance as an example as I do not have a personal grievance with the Penthouse owner in my building. I am just hoping that you will see the injustice of what has happened here, with most of the people affected being the people on the lower floors, who are predominately low and fixed income earners. **The people who have received all the advantage are on the higher more expensive floors, who knew they had to pay higher body corporate fees when they bought their more expensive units.**

Mr Bleijie, I believe your intentions have been honourable in seeing there has been a grave injustice made here, but I believe you have misunderstood who is being disadvantaged by your decision to reverse the reversion process.

I am asking that you reconsider your decision and allow lot entitlements to revert back to their original allocations prior to the 2004 precedent, so that the low and fixed income earners who purchased their units believing their body corporate fees where manageable to now find themselves in a dire financial situation.

Yours faithfully

Ken Daiken