

From: [Reg Wallin](#)
To: [Legal Affairs and Community Safety Committee](#)
Subject: Objection to the Community Management and other Legislation Amendment Bill 2012.
Date: Friday, 19 October 2012 8:42:35 AM

The Research Director
Legal Affairs and Community Safety Committee
Parliament House
Brisbane Qld 4000

Dear Sir,

Community Management and other Legislation Amendment Bill 2012.

Colorose Pty Ltd, as an owner of a first floor unit in Surfers Paradise, wishes to express its objection to the introduction of the Community Management and other Legislation Amendment Bill 2012 (the Bill).

Along with other purchasers of a unit in this building, Colorose Pty Ltd purchased its unit in 1997 in the knowledge of the percentage of the Body Corporate costs and levies for which they were liable. Therefore, on the basis of Caveat Emptor, and regardless of when the purchase was effected, purchasers bought their unit on the basis of unit entitlements existing at the time. Consequently, they should not have had any grounds on which to apply for an amendment of unit entitlements.

Colorose Pty Ltd lodged an objection prior to the legislative changes in 2007 that resulted in one of the owners of a higher level unit successfully applying to the commissioner to have the schedule of entitlements in the complex amended.

It was with great relief that in 2011 the Queensland Government recognised the unfair situation with buildings, which had Community Management schedules in place prior to 2007, having been subject to a change in schedule entitlements. As a result, owners were able to apply and have the original and correct schedule reinstated. Therefore, Colorose Pty Ltd now objects to the Bill which has the purpose of changing the law so that the unfair rulings of 2007 can be reinstated.

It is believed the Bill will have several unintended adverse consequences affecting such people as owners of smaller units, units on lower levels, retirees living on fixed incomes, the overall property market. Accordingly, you are implored to fully consider the ramifications of the proposed legislation before the Bill is proposed.

Thank you for accepting this submission objecting to this proposed legislation and wish point out that there should have been much more time given for public debate. Many Unit owners are now only just becoming aware of this legislation.

R W Wallin
Secretary
Colorose Pty Ltd

