

From: [Bill Butson](#)
To: [Legal Affairs and Community Safety Committee](#)
Subject: Body Corporate and Community Management and Other Legislation Amendment Bill 2012
Date: Friday, 19 October 2012 11:43:16 AM

I wish to submit an objection to the above Bill which proposes to adjust the contribution levies on Lot Entitlements for Unit Owners.

The proposed changes would allow larger units owners to revert to payment of smaller contributions than those set by the developer under the original development application lot entitlement levies. These lesser contributions will be subsidised by a consequent increase in the levies paid by smaller unit owners.

The basis of my objections are two-fold:

1. This represents a retrospective legislation. Properties were bought by unit owners on the basis of their affordability, including a knowledge of the body corporate fees they would be required to pay. To increase these by amended legislation will cause financial hardship for many smaller unit owners – the majority of whom may be on fixed or social security incomes and have no capacity to pay increased fees. Any amendment to legislation should therefore not be retrospective in nature, but apply only to properties built after any new legislation.
2. Body Corporate fees are levied as a community charge for the maintenance and upkeep of a building. Larger units require a greater proportion of external maintenance than smaller units. Fairness and equity should form the basis for any change in levies. Developer determined lot entitlements should be supported by independent calculations of an equitable apportionment of body corporate levies determined by the size of each unit.

Yours sincerely

William Butson

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