

15 October 2012

The Research Director
Legal Affairs and Community Safety Committee
Parliament House
Brisbane Qld 4000
lacsc@parliament.qld.gov.au

**RE: BODY CORPORATE AND COMMUNITY MANAGEMENT AND
OTHER LEGISLATION AMENDMENT BILL 2012.**

Dear Sir/Madam,

We regard this legislation as a very unfair amendment to the Act. Many unit owners will be called upon to subsidise penthouse (and similar) owners within their unit complexes.

The owners of large and valuable units expect the owners of smaller and less prestigious units to subsidise their Body Corporate levies to the extent that some floors of small units are paying up to three times the fees of penthouse floors. This is certainly not "fair and equitable" and is most certainly not democratic.

Just like any other investment, higher value units attract greater returns - either in personal enjoyment or higher rental returns - than lower value units. This Bill is like asking a small BHP investor with 100 shares to pay the same overheads as an investor with 1,000 shares. Equity and returns are proportional in all other major classes of investment. This applies in other Australian Strata title situations. The Attorney General has not explained how Queensland property differs from the remainder of Australia.

Until he can, this Bill should be stopped in its tracks.

The previous change was a correction to re-affirm the tacit agreement of fee obligations by all who purchased in a Queensland development. That was the just, correct and equitable thing to do.

This amendment is another nail in the coffin for Queensland investors as the next move will have to be from the Federal Government to clean up this mess and make all States' legislation conform to the one principle (and it won't be this one).

Many unit owners can't keep up with either the legislative changes or the legal expenses constantly going on in Queensland. This is the State of Exasperation!!

In our particular unit complex, we have had the example of one owner of a penthouse who wished to have the body corporate levies more equally divided between all unit holders. He

