

Body Corporate and Community Management and Other Legislation Amendment Bill 2023

Submission No: 6
Submitted by: George Glea
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Attachments: No attachment

Submitter Comments:

I own the top floor in a complex of six. My unit is the only unit which has uninterrupted ocean views (four have none). Five want to accept an offer from a developer.

As five votes to sell will trigger the 75% rule will those five be able to use body corporate funds to obtain reports (say engineer's) to support their want to sell?

As the want to sell is a personal based on greed I think it would be unfair to burden the Body Corporate.

Will I be able to use body corporate funds to obtain independent reports?

Will there be a limit the five can seek to apply the 75% rule? If not, the body corporate funds could be eaten up with never-ending engineer's reports.

Will a vendor's sale's contract be required to provide evidence the building is sound to withstand a 75% application? It would be too expensive for every prospective purchaser to obtain the report.

How often will 75% be allowed to apply to have the Body Corporate wound up?

Will those seeking the winding up have access to Body Corporate's funds?

If it's unlimited the cost to constantly defend in court will be too costly.

Will those opposing have access to Body Corporate funds?

Will there be means for those with better positions to obtain a higher proportion of an offer?

This legislation will destroy the harmony of community living.

Since an offer has been made to buy our 6 unit complex (five want to sell) no owner returns a greeting bar the secretary, and that's with "You're a f... psycho".

George Galea

[REDACTED]
[REDACTED]
[REDACTED]

From: George Galea [REDACTED]
Sent: Friday, 8 September 2023 12:01 PM
To: Legal Affairs and Safety Committee <LASC@parliament.qld.gov.au>
Subject: Re: Your submission - the Body Corporate and Community Management and Other Legislation Amendment Bill 2023

Dear Committee

I spoke to your Committee yesterday.

I made you aware I am the only lot of the 6 preventing the acceptance of a developer's offer to buy the whole site.

Would you please add the following to my submission:

The Clause -

'Applications to be limited to one every ten years.'

This would stop vindictive owners from incurring costs year-after-year in gaining reports to support numerous applications, and it would put a stop to an owner who does not want to sell from repeatedly having to defend in court at his own expense.

The *Clause* is not unreasonable because should one set of gained reports state the building is not uneconomical to maintain it's unlikely the building would become uneconomical within ten years.

At least that would give owners ten worry-free years.

Thanks

George Galea [REDACTED]

From: George Galea [REDACTED]
Sent: Wednesday, 13 September 2023 6:12 PM
To: Legal Affairs and Safety Committee <LASC@parliament.qld.gov.au>
Subject: Submission to BCCM hearings Body Corporate and Community Management and Other Legislation Bill

13/9/23

Legal Affairs and Safety Committee

cc Laura Gerber MP

Dear Committee of the BCCM amendments (75% forced sale rule)

Would you please allow the following to be added to my submission.

- If the proposed legislation is broadened to allow termination of a strata body to include unit blocks which are 'uneconomical' in terms of what the site is zoned for then those in social housing will have more security in retaining their home than a unit owner.
- If the legislation does allow this it will affect every unit block in Qld.
- Prices of units will fall because no one will want to buy an insecure home. No unit owner from one day to the next will know if they have a home.
- Why are unit owners being treated unequally to house owners. Would the government dare tell a house owner their house is too uneconomical to keep?
- Sinking funds held in the likes of Macquarie Bank interest free is a windfall for the banks. It is not profitable for Body Corporates to have their funds in interest bearing accounts because the Manager charges the Tax Agent hundreds to provide the interest earned, and then every dollar from the first earnt is taxed at the company tax rate of 30%. It's a loss making venture to hold funds in interest-bearing accounts.

George Galea
[REDACTED]