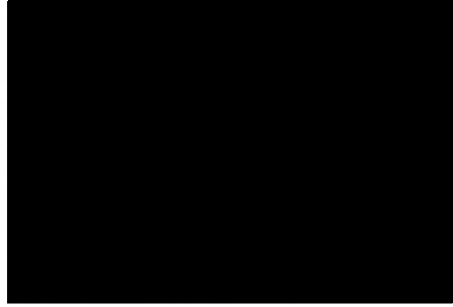


Body Corporate and Community Management and Other Legislation Amendment Bill 2023

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Submitter Comments:

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31 August 2023

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Committee Secretary
Legal Affairs and Safety Committee
Parliament House
George Street
Brisbane 4000

Dear Secretary

We write to express our reservations about the proposed changes in the Body Corporate and Community Management and Other Legislation Amendment Bill 2023, specifically the amendment aiming to lower the selling agreements by Unit Owners from 100% to 75%. Our perspective is that these changes might inadvertently give rise to more challenges than solutions.

The potential consequences of selling the building, resulting in the displacement of its current residents, are particularly concerning. The present housing landscape already presents difficulties in finding suitable accommodations, and this would be exacerbated by such a move. Furthermore,

this approach could disproportionately impact individuals with limited income or elderly residents.

Introducing a new building to the site might not necessarily contribute to more accessible housing options. Developers tend to focus on constructing higher-end units that align with the area's market demands. This likely perpetuates the unaffordability of housing for the broader population.

The anticipated buyers in this scenario would primarily consist of developers seeking to maximize their profit margins by offering the lowest possible purchase price for the site. This inherently disadvantages the sellers who may struggle to obtain a fair price for their units within such a constrained market.

Given the existing functionality of the current system, we question the necessity of implementing these changes. The current framework has been in place for a substantial period and appears to be functioning reasonably well.

Our understanding is that developers interested in purchasing a site generally offer the current owners the opportunity to acquire units within the forthcoming building. However, this process often entails a considerable waiting period for the current owners and necessitates temporary alternative housing solutions.

We are concerned that the proposed legislation seems to be in favour of developers, as outlined in the aforementioned reasons. However, should the decision be made to proceed with this new legislation, we suggest including a provision wherein developers acquiring a site must extend an offer to the current owners for new apartments within the upcoming building. Alternatively, the sellers should receive compensation equivalent to the value these apartments

would command in the open market. The accommodations offered to the sellers should, at minimum, match the amenities they currently enjoy in their existing building. By adopting this approach, the existing building's owners would receive a fair remuneration for their present apartments.

Yours faithfully

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David and Lia Hutley