

## Body Corporate and Community Management and Other Legislation Amendment Bill 2023

<b>Submission No:</b>	66
<b>Submitted by:</b>	Amanda Sippel
<b>Publication:</b>	Making the submission and your name public
<b>Attachments:</b>	No attachment

### Submitter Comments:

I DO NOT agree with the rationale in regards to NOT adopting the QUT Property Law Review about the Keeping or bringing of animals on a lot or on common property.

- The QUT Property Law Review was open to ALL residents for input and from that input they have recommended that a 'no pet' by-law be allowed.
- If a review open to ALL residents recommended this, how can the CTL Working Group, who consists of only key stakeholders from the community titles sector, say that it would be out of step with community attitudes and expectations about the keeping of pets.
- I would argue that the CTL Working Group is out of step with the real community attitudes and expectations about the keeping of pets if they do not accept the recommendation which was open to ALL residents. I do not agree that owners should not have the right to ban the keeping of animals.
- As a unit property owner in a small complex and part of the Body Corporate Committee, I know that a large majority of the owners in our complex do not agree with keeping of pets in the building.
- We have a mixture of units that are permanent rentals while others are holiday rental and only one owner occupier that lives permanently on site.
- We do not have an onsite manager to sort issues that arise and therefore it is left to the committee.
- The committee is a group of volunteers with the majority of owners not living in the area.
- The volunteers do not have the time, nor the expertise to deal with issues that arise from pet ownership and therefore have to pay the Body Corp managers.
- Paying Body Corp managers and having to take irresponsible animal owners to QCAT then increases the administration costs which in turn is then passed onto tenants.
- Noise is not the only factor that concerns owners when it comes to the keeping of animals. Allergies and parasite infestation are also an important consideration when living in a communal situation as well as the overall health of the animal living in a small unit.
- We currently have an instance where a dog from a neighbouring unit complex is causing issues not only to their tenants but is also impacting on our complex. The neighbouring committee has followed all the correct procedures. The approval for the dog was revoked and yet the owner continues to keep the dog. The police were involved at one stage and the chairman has been told by the police that because of the person involved, they would be safer to sell their property rather than engage further with this person. How is this fair and reasonable? Everyone in both buildings is now on tenterhooks. Other issues with this person may have eventuated anyway but if the animal had not been allowed in the building in the first instance it may have been avoided. Isn't prevention better than cure and the prolonged steps and long term damage to the committee avoided to get to that cure?
- Allowing for animals and having to justify whether a committee's decision is fair and reasonable is subject to the each person's interpretation and ultimately decided by one person sitting on the QCAT bench depending on his opinion. This is not fair and reasonable to me to allow the minority opinion to rule.
- Living in a unit situation, all opinions should be taken into consideration and I feel a 2/3 majority is sufficient to deem that is the opinion of the large majority of owners and allow for harmony in our living space.
- I feel I have a right to live in a no pets building as much as others feel they have a right to have a pet friendly building.

- I also feel aggrieved that the owner's right to decide whether or not they allow pets in their property has been taken away. It is their hard earned money that is putting a roof over the tenants head.
- Where do people go that wish to live in a unit and have no pets around if the Bill amends the BCCM Act to provide that body corporate by-laws cannot prohibit the keeping of animals in a scheme? Although I believe the 'no pet' by-law should be made by special resolution, not by resolution without dissent, the recommendation from the QUT Property Law Review to allow the by-law was a balance to suit all owners - pet friendly people would live together and deal with any issues that arise from that and those that prefer to live without pets would live together without any issues and the added costs. For that matter, the same could be said for smoking by-laws as well.
- By-laws can always be changed. If in the future, with change of ownership, owners wish to then allow animals and/or restrict the number, type or size of animals that may be kept it is just a matter of changing the by-laws to allow this to happen.
- I honestly will consider selling my unit if the Bill amends the BCCM Act to provide that body corporate by-laws cannot prohibit the keeping of animals in a scheme. I feel very strongly that a "no pet" by-law by special resolution should be adopted. I am also very disappointed that I had registered my interest to be kept up to date on the BCCM review and I have received no correspondence whatsoever. I only found out about the changes through my Body Corp managers and feel that having only 9 days for people to make a submission to this important legislation is just not enough time, especially with the debate regarding The Voice at this time.