

Body Corporate and Community Management and Other Legislation Amendment Bill 2023

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Submitter Comments:

It is unfortunate that the amount of time we have been allocated to put forward concerns was only a few days. I believe that all Owners should be required to submit to the Body Corporate the name of the Property Manager if they are renting their Unit. The legislation only requires them to provide if the tenant has a 6 months fixed term lease, and even though there is a financial penalty for not complying still difficult to get the information. It is not right that an Owner can have their unit as an AirBandB managed without having to supply information to the BC, the legislation is outdated and needs to be included in the changes. When you reside in a building that is supposed to be 'secure' there is no information provided as to who is residing in some units. Also there is a risk if there is a fire or emergency as the onsite manager has no information. If you stay in a Hotel or Apartment Hotel (with the registered Manager) you have to provide proof of your identity. The other 'Elephant in the room' that is not included, is the Management agreements of 25 years, that are sold by the Developer and the Contracted annual payment that is in the 25 year contract, is not paid by the Developer it has to be paid by the owners who have had no control over what they are required to pay each year. Also, there is no ability for the Owners to negotiate any changes to the annual Contracted amount, or make any adjustments to the contract with reference to what the Manager is required to do within the Contract. the 10 year agreement also cannot be changed. Even with 'residential buildings' most contracts now are 25 year 'accommodation' agreements. It is time the Legislation was changed so that Owners have the right to negotiate, and that includes existing 25 year agreements.