



WIN FOR TENANTS & LANDLORDS (FROM PAGE 1)

The landlord would earn back the cost of installation through charging the tenants for electricity but the tenant would also benefit as the charges would be much cheaper than the normal power network annually.

Mr Barnes said one in three Australian households lived in rented accommodation which did not have solar power.

He said until now it had been difficult for landlords to justify the cost of installing solar power when the whole financial benefit went to the tenant.

Power generated by the solar system and consumed by the household is measured and made available to both owner and tenant through Matter's portal with the company billing the tenant and



forwarding that payment - less a monthly \$9 fee - to the landlord.

Mr Barnes said they were doing their first installation in December. "It's a totally new concept," he said.

He said the technology could also be used on homes which already had solar power installed. "It is same technology with a new install or a retrofit, we can support either market," Mr Barnes said.

"The landlord is actually making money by selling solar electricity to the tenant, it is not about feed in tariffs."

Solar energy use can be monitored in real time by the landlord or the tenant. □



CHRISTMAS ARRANGEMENTS

Our best wishes for Christmas & the New Year, to you and those close to you.

This Christmas we are closing our office from 5pm Thursday December 17th and opening on Tuesday January 5th from 9am. For accounts due Jan 1st or before, you have until Jan 12th to pay before penalties apply.

If you have an emergency over the break and you need assistance just ring **8333-5200** for up to date details on contractors and emergency services.

DENIAL AT INQUIRY

Whilst at the recent public hearings (Strata Inquiry) conducted at Parliament house I was dismayed to hear what company principals had to say....

1: By and large, in fact in my 30 years experience, managers are very helpful people actually. They are there to assist the clients wade their way through these legal obligations that they have inherited. I have seen very few acts, I have seen no acts by a professional manager that have compromised the interests of clients.

2: In the current environment the interest earned is less than the fees being charged for the number of transactions they have, so to offer a building no transaction charges at all, no interest.

This is I believe an indication of the culture of strata managers here in Adelaide. They live in another world from the concerns of unit owners. They believe they are acting in their clients best interests however there is evidence is to the contrary - see this and previous newsletters.

The web is full of complaints about the larger firms here in Adelaide. Failure to return phone calls, emails, get jobs done, bullying by managers at meetings etc.

The peak body, Strata Community Australia should intervene and lift the game of their local affiliate. The SCA should be raising standards and providing training that is in line with reinforcing its own code of ethics.

Extract from the national code of ethics..

The SCA and its State or Territory Member Body / Chapter are determined to protect and enhance the reputation of its collective membership. In a service business, the integrity that our brand "SCA" represents is one of SCA's most valuable assets.

Acting with integrity and the highest ethical standards is good business practice and policy. Each Member of the SCA State or Territory Member Body / Chapter should adhere to both the letter and the spirit of this Code.

The full code can be found at .. www.stratacommunity.org.au/documents/item/135

If your group is suffering from a manager who is breaching the code I suggest you lodge a complaint with the SCA. Address to Chief Executive Officer. Suite 101, Level 1, 845 Pacific Hwy, Chatswood NSW 2067

Cheers

Gordon Russell

ps: Do you have any friends who need to read our newsletter? Ring and we will post one out or they can download it from our website □

emergency numbers

Plumbing , Gas, Roof Leaks	8356 2750
Electrical	1300 130 229
Breakins & Glazing	0411 848 398
Police to attend - noise/robbery etc.	131 444
State Emergency Service storm/flood	132 500

NEW BOOK ON STRATA LIVING

Apartments are the new houses for a growing number of Australians. Housing affordability, aging, environmental issues, immigration and shrinking household formation patterns are driving this shift. Apartments are now the dominant form of new housing in many of our capital cities.

The legal concept of strata title was invented just over 50 years ago as a means of conveniently financing separately-owned flats with common property and facilities. Since then increasingly complex laws have been developed to accommodate increasingly complex buildings, many of which now incorporate a mix of uses.

Strata residents and investors should read this book

Ownership of strata property brings with it certain obligations and responsibilities unique to this form of housing. Not least is the requirement to be part of an owners corporation (known also as a body corporate), a not-for-profit organisation run by volunteers from within the strata community concerned.

Growing Up is a thought-provoking and entertaining book about ownership of strata property and living in high-rise, and higher density apartments and townhouses.



About strata expert Michael Teys

Michael Teys has written this book to help strata communities and the owners corporations that run them think about the issues they face now and into the future. Michael is a strata title lawyer and founder of Block Strata. They manage strata title owners corporations and bodies corporate. He has a Bachelor of Laws and has for 30 years practised exclusively in the area of strata and community title law and management.

He is a Fellow of the Australian College of Community Association Lawyers and lectures in property investing for Charles Sturt University.

Michael appears weekly on SKY News Business



Channel's Property Success with Margaret Lomas and is a regular host and panellist for the property edition of Your Money, Your Call for the same channel.

You can buy the book at <http://michaeltseys.com/book/> □

WIN FOR TENANTS & LANDLORDS

A new scheme aimed at encouraging landlords to install solar power is predicted to save tenants up to 20 percent a year on their electricity bills and earn landlords an additional income.

The following article was written by Michelle Hele the Network Online Real Estate Editor for News Corp Australia in December 2015.

Renters could see their electricity bills slashed up by to a fifth under a new scheme to encourage landlords to install solar panels.

The scheme, called Digital Solar <http://www.smartmatter.com/> allows landlords to sell solar energy to their tenants.

It has been launched by tech company, Matter.

Simon Barnes, of Matter, said landlords who installed solar panels on their rental properties under the scheme could run it like a "micro-utility".

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PARLIAMENTARY INQUIRY

Recently the South Australian Parliament completed the public hearings for its Strata Inquiry.

UnitCare Services was one of three body corporate management (BCMs) firms to give a verbal submission.

We canvassed the following issues ..

Audits: Expanded Role for the auditor, to include checking managers for compliance with all legislation and regulations controlling their behaviour. Consumer & Business Affairs to be charged with ensuring BCM compliance and when necessary, prosecution. Auditor to be required to lodge the full audit, with the office of Consumer & Business Affairs. BCMs must prominently publish the audit on its website within 14 days of its receipt by the BCM. To ensure impartiality, BCMs must only appoint an auditor that has no relationship to them or their firm .

Interest be paid on bank accounts: That owner's funds must be invested in interest bearing accounts and that interest must be paid in full to client accounts.

Supply of regulated documents: That where the words 'make available' or similar, appear in the Acts that they be replaced with 'supply all unit owners / lot owners'. That the regulated pamphlet must be supplied with any agenda dealing with appointment or reappointment of a BCM.

Commissions and related party disclosure: BCMs to be required to disclose the full extent of any commission arrangements along with the trading name of the party supplying the commission. BCMs to be required to disclose the full extent of any related party relationships. This would include common directors in a maintenance firm, debt collection service or rental firm. That this disclosure should go beyond the fine print in a contract, the current practice of many BCMs, and extend to the regulation required 'pamphlet' all correspondence including but not limited to all quotes for works and insurance

Registration of BCMs: BCMs to be required to register with the CBA (OCBA) office as is done in Victoria. The cost there is under \$200 per BCM. BCMs may only collect fees if they are registered. That the office publish this list as it does builders etc. to enable public and government scrutiny

Vetting of invoices: BCMs to be required to supply a copy of all invoices greater than a regulated amount to the Management Committee or if no committee then an officer. That if there is no challenge to the paying of the invoice by 10 days after supply then the invoice can be paid. A regulated amount might be \$500. This should include the original, as supplied of all invoices including insurance renewals.

Transparency of funds: That BCMs forward a ledger to the Treasurer of each and every client corporation at least once a quarter.

Vetting of contractors: BCMs to be required to meet all costs associated with vetting contractors for insurance, licensing and related statutory requirements and not recover them from client corporations as a standing fee per group.

Quorums: That the Acts be amended to allow for inquorate meetings subject to ratification at the reconvened meeting.

Example: A group of 10 units has 4 owners present in person or by proxy at its annual meeting. All owners with emails have received a reminder. The meeting waits 30 minutes then they leave as no quorum was achieved. The committed owners who took the time to turn up are rewarded with a waste of time and often a wasted evening.

Alternative: The meeting proceeds inquorate. All decisions are made subject to the circulation of the draft minutes and the reconvened meeting. All owners then receive a copy of the draft minutes with a proxy form enabling them to agree to the minutes.

The meeting is reconvened in accord with the current legislation. The benefit is that the owners who attended the 1st meeting are rewarded for attending and in future years will be more willing to attend as it is not a waste of time. Note: At UnitCare we have offered attendance by Skype. This has only been used twice in recent years.

Regulated search fees: That the audit of compliance include checks to ensure that BCMs are only charging the regulated fees for searches. Comment: The Section 139(CTA) and Section 41 (STA) documents are search documents for the sale of lots and units. The fees are regulated by the Parliament. A section 41 document is regulated at \$50+gst. Some BCMs are charging \$90+ for expedited searches.

Owner lists – full details: That body corporates and their managers be obliged to supply a list of owners that includes full contact details – address, contact phone numbers and email addresses. Comment: We are aware that owners seeking to change management are being supplied with owner lists lacking contact details. Managers should provide comprehensive owner contacts and details. It is imperative that owners and BCMs receive a list of owner contact details.

Strata & Community plans with sale searches: That all body corporates and their managers are to supply a set of LTO strata/community plans with all searches for sale of units/lots.

Disputes: That, subject to the capacity of the SA Administrative Appeals Tribunal (SACAT), disputes under Section 41a of the Strata Titles Act and Section 142 of the Community Titles Act be amended to refer matters to SACAT. This will remove matters from Magistrates Court in the 1st instance.

Asbestos registers: That the Parliament cause all BCMs to be written to and formally advised that they are not to mislead clients by advising them that they must have an asbestos register if they are a fully residential complex.

Council approvals: Amend the relevant acts to oblige all Councils to sight a certified copy of the body corporate's approval for the proposed works before considering any application.

Comment: many unit owners have undertaken major works without their body corporate's agreement. They have proceeded because the local Council approved their application. This has resulted in disputes, some going to Court. The owner's in some cases believed that Council approval was all they needed.

Auditor – government appointed: That CBA (OCBA) undertake a random audit of BCMs with a cycle of say 4 to 5 years. Comment: BCMs own the audit they organize. The auditor is their choice at their cost. This risks compromising the audit report. Given the large amounts of money at stake, some \$80 million, an arms length check of legislative compliance is important. This can only be assured when undertaken by a Government appointed auditor.

Abandoned cars: That all strata and community titled groups be given the authority to remove unregistered, abandoned cars left on common property, after they have made all attempts to establish the owner. Comment: There is some confusion over how to deal with this problem. The abandoned cars cause considerable problems for residents and owners ☐



ENVIRONMENT, RESOURCES AND
DEVELOPMENT COMMITTEE

STRATA TITLES INQUIRY

Uncorrected - not for distribution or publication
Provided for the sole purpose of witnesses correcting transcription errors.

Old Parliament House Chamber, Old Parliament House, Adelaide

Tuesday, 20 October 2015 at 9:55am

RESPECT

The following is a speech delivered by Malcolm Turnbull on White Ribbon Day November 25, 2015

He asks us to challenge male attitudes towards sexism and violence.

As we mark another White Ribbon Day, we reflect on the courage of many domestic violence victims who have suffered for too long.

Today, Australians around the country will stand up to be counted in the fight to end this terrible crime. I stand alongside them and I recommit my Government to the cause.

We are tackling domestic violence on many fronts, but to truly bring about generational change we must know more about the reasons behind it.

Today my Government will release new research that paints a disturbing picture of what many Australians think about violence against women.

It tells us that many people excuse men, minimise the severity of their actions and blame the victim when it comes to domestic violence.

We must face the confronting fact that society's attitude towards women – and the lack of respect we have for women – is closely connected to the violence perpetrated against them.



WHITE
RIBBON

They contribute to the disrespect for women that is at the heart of domestic violence. If we ever trivialise violence against women with a phrase like "boys will be boys" or "he's a nice guy", or ask the question "but what did she do to deserve it?" we are complicit.

I challenge everyone to consider what they can do to improve the way society treats women – in our workplaces, our schools, our businesses, our sporting codes, the media and, most importantly, in our homes.

There is a new resolve across governments, agencies, the police and the community to end domestic violence.

Talking about it has helped shine a light on what was previously considered a private problem.

Now it is seen for what it is – a crime that must be stamped out as surely as we will prosecute violence on our streets.

The answer lies in all of us.

We have within us the power to create an Australia where domestic violence is always questioned and never accepted.

By White Ribbon Ambassador Prime Minister Malcolm Turnbull ☐

TAKE ACTION

If you witness violence, don't be aggressive or violent.

Always keep yourself and others safe. Call 000 in an emergency.

If you witness a violent act – such as a man assaulting a woman in the street - you can:

- ❖ Call the police.
- ❖ Be a witness. Stand far enough away to be safe but close enough for the violent person to see you and be aware that they are being watched.
- ❖ Get others' support. Ask others who are nearby to help.
- ❖ Verbally intervene. Tell the violent person clearly that their actions are not okay, this is a crime, and you are calling the police.
- ❖ Ask the victim if she needs help. Ask: "Are you okay, do you need a taxi?"
- ❖ Make the man feel noticed and, and offer practical assistance to the woman.
- ❖ Say something to the man: "Hey, what are you doing?" "That's not on, mate," and so on.
- ❖ Stick around to make sure the situation has cooled down.
- ❖ Create a distraction – so that the abused person has time to get away or the perpetrator slows down or ceases their violence. For example, ask a man harassing a woman on the street for directions or the time ☐

ABOUT WHITE RIBBON

The White Ribbon Campaign is the largest global male-led movement to stop violence against women. It engages and enables men and boys to lead this social change.

In Australia, White Ribbon is an organisation that works to prevent violence by changing attitudes and behaviours. The prevention work is driven through social marketing, the Ambassador

Program and prevention initiatives with communities, schools, universities, sporting codes and workplaces.

White Ribbon invites Australians to show their support for White Ribbon Day by taking the new Oath online - www.whiteribbon.org.au/day.

For more information visit www.whiteribbon.org.au ☐

