February 26, 2016

New Strata Laws………they’re almost here

The College has been receiving lots of calls and emails regarding the changes to strata by-laws, particularly in reference to the keeping of pets. While we know that the changes to the Strata Schemes Management Act have already been drafted into legislation, which is proposed to be effective as of July, the changes for the by-laws have not yet been put into writing.

While it is commendable to be ahead of your peers as far as your thirst for knowledge, currently we do not have the exact by-law changes to report on, only what is proposed. So, let’s look at the proposals.

The current by-laws have three options for the keeping of pets:

Option A: An owner or occupier of a lot must not, without the prior written approval of the owners corporation, keep any animal (except fish kept in a secure aquarium on the lot) on the lot or the common property.

Option B: An owner or occupier of a lot must not, without the prior written approval of the owners corporation, keep any animal (except a cat, a small dog or a small caged bird, or fish kept in a secure aquarium on the lot) on the lot or the common property.

Option C: An owner or occupier of a residential lot must not keep any animal on the lot or the common property.

The model by-laws state that should a strata scheme not elect a by-law option, then option A will apply.

The proposed changes are essentially to remove the options B and C and simply have that an owner must seek written approval and that the owners corporation cannot unreasonably refuse permission. The proposal is to also allow for no approval required for “small” pets, with no definition yet of what constitutes small. How these two rules will be worded is still to be seen, so while some media outlets are saying things like “pets will automatically be allowed in strata schemes”, there is little information to base comments like these on, until the regulations are released.

www.acop.edu.au
While these changes are long overdue for animal loving strata dwellers, it must also be discussed that just because the standard by-laws are changing, there is no requirement for a strata schemes to adopt the by-law changes immediately.

In fact, our understanding of the strata legislation and case law suggests that while a new strata scheme developed after the new by-laws are introduced into the regulations will have no choice but to adopt the revised standard by-laws, already established strata schemes will have to agree to adopt the new by-laws with a collective decision of the Owners Corporation. However, while this is what we understand the laws to be currently, until the regulations have been drafted and released, we cannot say for certain how the changes are to be adopted.

So, as an agent, don’t go telling prospective purchasers or tenants that they will definitely be able to keep a pet after the new strata laws are implemented, as there will most definitely be a process to be followed to gain such approval within strata and community title complexes.

As soon as we are aware of exactly what the model by-laws are going to be and how they are to be adopted we will keep you all informed.

‘Til next time,
Wishing you every success in your business ventures,
Rosy Sullivan

The College has been busy in Sydney and regional NSW over the last two weeks but we have been carefully watching developments in Cambodia.

This last fortnight has seen the official opening ceremony of the Safe Learning Space in Phnom Penh. Rosy and John, along with Ros and Peter Stirling and The Fell Foundation, were the three sponsors who funded the building and establishment of the new learning centre, where some of Cambodia’s most impoverished children living in the Steung Meanchey community now have a safe and quiet place to study during and after school hours. We think that’s a reason to celebrate.

For most of the 2,300 kids who are being supported through the Cambodian Children’s Fund, studying at home is almost impossible with homes being overcrowded and unsanitary. As these students reach Grades 11 and 12, access to a focused study spaces becomes more and more important as they prepare for final exams.
CERTIFICATE OF REGISTRATION COURSES

Parramatta
Mon 29th Feb–Wed 2nd Mar

Port Macquarie
Tue 8th - Thu 10th Mar

Wagga Wagga
(Dist Ed + 1 day workshop)
Mon 14th Mar

Sydney
Mon 14th – Wed 16th Mar

Albury
(Dist Ed + 1 day workshop)
Thu 17th Mar

Sydney
(Dist Ed + 2 day workshop)
Sat 19th – Sun 20th Mar

Gosford
(Dist Ed + 1 day workshop)
Wed 23rd Mar

Wollongong
(Dist Ed + 1 day workshop)
Tue 5th Apr

FINANCE AND MORTGAGE BROKING COURSES

Cert IV in Finance & Mortgage Broking
Sydney
Wed 30th Mar - Fri 1st Apr

Dip of Finance & Mort Broking Mgmt
Upgrade for existing Cert IV holders
Sydney
Thu 7th - Fri 8th Apr

The Safe Learning Space officially opened on Tuesday 16th February and it contains a study lounge and outdoor garden area and will provide students with access to a quiet, clean location to study and do homework.

Commercial and Retail Sales and Leasing Skills Course
*This is a skills course, and students will receive 12 CPD points.

Sydney CBD
Monday 11th to Tuesday 12th April

Ring 1300 88 48 10 to book!
Do you want a Real Estate or Strata Management Licence?

- Are you 15 years old or over?
- Are you no longer at school?
- Are you living or working in NSW?
- Are you an Australian citizen, Australian permanent resident, Australian permanent humanitarian visa holder or New Zealand citizen?

If you answered YES to the above questions, you will be eligible for government funding.

Free Assessment
Send us your resume & copies of any qualification transcripts you may have for a free and confidential preliminary RPL assessment.

Complete the Eligibility Survey