

# Domain

## 'A can of worms'

Michelle Anderson, chairwoman of the management committee of a Docklands high rise, realised the new strata laws hadn't quite clicked when a letting agent told her about a tenant in her building who had been complaining about noise. "This woman openly said he was just a nuisance, he was only a tenant, no one else had complained and, anyway, she'd told him there was nothing the body corporate could do," says Ms Anderson.

"I had to explain that, firstly, tenants now have as much right to complain to the owners' corporation as anyone else and, secondly, we are legally obliged to respond.

"This bloke had a legitimate complaint but we hadn't been given a chance to address it because the real estate agent thought it was her job to fob him off."

Although she agrees that the laws badly needed changing, Ms Anderson, chairwoman of the Victorian branch of the Owners Corporation Network — a national organisation of strata owners — thinks they have "opened a can of worms".

She says extra costs to owners for expenses on top of existing management contracts are a major issue, married to, ironically, a lack of understanding by some managers.

"Most management committees are running the show the 'old' way and even the managers are struggling to understand the changes," she says.

Ms Anderson also says a double whammy on maintenance funds — previously called sinking funds — is costing strata owners dearly.

"Some buildings now have two maintenance accounts set up and are contributing twice to maintenance."

And she sees the age-old conflict between tenants and owners as having been exacerbated by the new laws, even though the process is now more transparent.

"Tenants now have equal rights and can cause problems for committees if they are not aware of the owners corporation rules for the building they live in," she says. "They will argue issues that an owner fully accepts and understands.

"The tenant has different expectations and can take the Owners Corporation directly to the Victorian Civil and Administrative Tribunal (VCAT)."

But Ms Anderson has a simple solution for that problem, at least: "All tenants should be given a copy of the rules and be made to sign them before agreeing to a lease."

**JIMMY THOMSON**



Corporation network chairwoman Michelle Anderson. PICTURE: GARY MEDLICOTT