

VOTING - GETTING IT RIGHT

Some strata managers and self managed groups have owners vote on important issues through the use of 'postal voting slips'

This practice is dangerous as it in no way binds the Corporation or its members to any decision made in this fashion.

The Strata Titles Act only allows for decision making at general or committee meetings. There is no provision for postal voting other than through the use of a proxy for a general or committee meeting or an absentee vote for a general meeting.

Voting rights at general meetings

34. (3) A vote may be exercised as follows:

(a) it may be exercised (subject to paragraph (b)) by the unit holder or a proxy of the unit holder;

34. (4) A unit holder may exercise an absentee vote on a proposed resolution by giving the secretary written notice of the proposed vote at least six hours before the time of the meeting

Management committee

35. (7) A member of a management

committee can appoint another person (who must, unless all of the units comprised in the strata scheme consist of non-residential units, be a unit holder) to act as his or her proxy at any meeting of the committee that the member is unable to attend.

The Strata Act is set up to ensure owners get an opportunity to discuss the merits or otherwise of an issue.

An option for Corporations is to call a general meeting and circulate sufficient information with a proxy form that enables the owner to submit an absentee vote. Owners can of course still attend the meeting however if the issues are clear and well argued they may well lodge a 'postal vote'. In this case it will be legally binding.

Cheers
Gordon Russell CPM

ps: Do you have any friends who need to read our newsletter? Give us a ring and we will post one out.



viewpoint



Gordon Russell CPM
Managing Director
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Christmas arrangements

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

This Christmas we are closing our office from 5pm Thursday December 16th and opening on Wednesday January 5th.

If you have an emergency over the break and you need assistance just ring 8364 0022 for up to date details on contractors and emergency services, or see the list below.

Service	Number
Plumbing , Gas, Roof Leaks	8356 2750
Electrical	0411 195 275
Breakins, & Glazing	8299 0050
Police to attend - noise/robbery etc	131 444
State Emergency Services	1300 300 177

www.unitcare.com.au

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New Fact Sheet for Sales Agents

To answer the many queries and problems that arise during the sale of units we have published a Fact Sheet for real estate Sales Agents. We have found over the years that many agents fail to understand what makes selling units different from a regular stand alone housing. The result has been confused and angry purchasers.

Recent cases have included telling a prospective owner they have a carport when this is not the case, advising a buyer into a new community title that there would be no body corporate fees as owners maintain their own units.

The new fact sheet deals with:

- > Searches -
 - ✍ how much to pay,
 - ✍ what an agent gets for the search fee
 - ✍ what to look for including policies on pets, air-conditioners, articles / by-laws, strata / community plans
 - ✍ who owns what and more
- > Approvals for potential purchasers -
 - ✍ how to make an application for a pet
 - ✍ air-conditioners
- > Repairs/Works -
 - ✍ who pays for what
 - ✍ termite inspections / treatment
 - ✍ leaking showers
- > Community Titles -
 - ✍ how they are different
 - ✍ scheme descriptions
 - ✍ by-laws

The fact sheet came about as part of a new Real Estate Institute of SA training programme. It is intended to be of assistance to residential sales agents selling units & lots in South Australia.

You can download a copy from our website www.unitcare.com.au or call us for a copy.



after hours emergencies - must phone 8364 0022 for up to date numbers

This is a publication of UnitCare Services and is offered as information only and is not intended as a substitute for professional advice.
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Staff Update

In October we employed an additional body corporate manager. Christine Leonard comes well qualified with a background in property management, residential sales and meeting management. As many owners are yet to meet all of our staff we have included our team brochure below.

Marion



Accounts Clerk UnitCare Services (reconciliations, archiving)
Former small business owner
Manager of fine craft galleries
Accounts clerk in medical practice
Loves tennis & reading
Graduated from Methodist Ladies College
Originally from Melbourne

Christine



Licensed Real Estate Salesperson
Qualified Property Manager
Pharmacy Manager/Partner
Background in counselling
Enjoys house renovating & landscaping

Rebekah



REISA Trained Strata Manager
Worked for two major strata managers before joining UnitCare
Certificates in sports training & First Aid
Sports trainer with two football clubs
Background in entertainment & hospitality industry
Enjoys basketball & fashion

Rona



Accounts Clerk UnitCare Services (reception, trust account)
Trained in accounting, interior decorating and communication.
Has worked in retail, real estate and hospital sectors
Bachelor Arts majoring in Psychology
Loves gardening, reading, dressmaking and travel

Gordon



Managing Director UnitCare Services
Founding Chair of the Strata Managers Division of the Real Estate Institute of SA
Trains strata & property managers at the REISA
Has been in the strata industry since 1987
Trained in Community Welfare in the 70's
Local Government Councillor in 1980's
Hand built two homes in the Adelaide Hills

Alistair

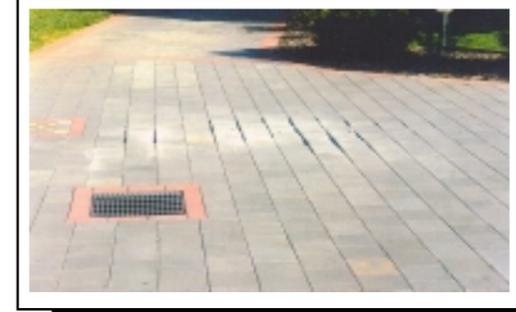


Has been a strata manager for more than 20 years
Health & Building Inspector in New Zealand for 14 yrs
Local government councillor in New Zealand
Diplomas in Industrial Administration & Public Health Administration
Accredited mediator
Interests include sport, history, family, travel & movies

the unitcare team

Builder finally cements a deal

For some 7 years a group of UnitCare unit owners have been battling the builder of their units over a shocking driveway paving job. UnitCare took on the management of this group of nine units in 2002. The owners had given up on having the loose and dangerous paved driveway replaced by the builder. The cost of replacement looked to cost around \$35,000. This cost was beyond the means of many owners as they were on fixed single incomes.



As managers we suggested a fresh approach using Koukourou Engineers and Michael Hutton from Lynch Meyer lawyers. The engineer's report revealed that the builder had failed to lay a proper foundation (to Australian Standards) for the pavers resulting in them moving and coming loose. The poor backfill and compaction had also caused the crushing of plastic storm water pipes and sumps.

Since late 2002 the builder has tried to avoid full responsibility by blaming sub contractors and offering to just repack some areas of pavers. The matter has been back and forth to Court for directions hearings.

The parties came to an out of court settlement prior to trial. At the time of writing a new concrete drive is being laid by the builder, in addition the builder is paying much of our client's legal costs.

This case highlights the need to seek specialised legal advice before pursuing a builder over substantial faults.

It is sad to note that some builders go on to keep their licences despite a trail of poor workmanship and a complete insensitivity to the plight of older unit owners who are in a poor position to afford legal help or to make good the original work.

Most long for a major seachange in life

The following is a piece that appeared in the Advertiser in October 2004. Social change is a theme we continue to discuss in Unit Update. We hope a broader picture of the social forces in Australia are useful to our readers.

FOUR out of five Australians want to make a radical change in their lives and yearn for a seachange, a national poll has found.

A survey of 1242 Australians to be released today shows most people want to change the way they live, regardless of age, gender, geographical location or marital status.

In almost every demographic group, 85 per cent or more said they dreamed of making a seachange while 93 per cent of those aged between 18-29 wanted a change.

Of those surveyed, 189 had already made a seachange and 88 per cent said it had worked out as they hoped.

The survey conducted by Australian Reader's Digest found 59 per cent wanted to improve the quality of their life, 39 per cent desired a better

balance between work, family and lifestyle and 37 per cent looked for personal fulfilment and meaning. The survey also found 35 per cent of people longed to develop a hobby for pleasure or profit, 25 per cent wanted to travel, 16 per cent dreamed of writing a book and 7 per cent fantasised about pursuing a sporting passion.

"It proves that many Australians don't just want to escape to the beach but are more concerned about achieving balance in their lives and satisfying a deep hunger for self fulfillment," Australian Reader's Digest editor in chief Tom Moore said.

The Real Estate Institute of South Australia said more people were abandoning the city for the coast.

"Finally, a lot of South Australians are realising what a fantastic coastline we have," REISA vice president Mark Sanderson said. By Real Estate Editor LOUISE TRECASSI