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## You cannot buy happiness?

Recently there has been quite a lot of media on finding and keeping happiness. The evidence is showing that above \$US20,000 money does not buy happiness. Some 25% of working Australians have 'downshifted' into less onerous jobs and less working hours. The following is part of the transcript of a recent discussion on ABC Radio...

'Daniel Kahnemann: There's one very interesting book written by an economist, Tibor Scitovsky with a beautiful title I thought, 'The Joyless Economy', and he talks of various ways in which people could use limited income in order to achieve happiness, and his argument is that cultures differ greatly in their ability to train people to derive pleasure out of life. And he considers, for example, that the Americans are quite poor at it, compared to the Europeans. And his distinction that he draws is between pleasures and comforts where comforts are things like a large refrigerator or a large car, and which is good to have but pretty soon after you've got it, you can ask the question of how much joy your refrigerator gives you lately, and the answer is Not very much.

Pleasures are discrete, they're different, and examples would be feasts, flowers, vacations, which are occasional events which give you those surges of enjoyment, and to which evidently people do not adapt quite as fast as they adapt to comforts. So this is one of the directions that people might be looking as ways to improve the human condition.'

In an article Love More & Live Longer, The Advertiser on 21/3/200 reported ...

Watching a sunset with your lover, holding a sleeping baby, playing with your beloved pet dog - they're all timeless moments. An Australian researcher believes love in all its forms may actually be able to slow the biological clock. So whether it's between partners or even an artist's love of painting - the more love you have in your life, the longer you're likely to live.

"Having love in your life will improve your chances of living a long life" said Mark Cohen, founding professor of complementary medicine at Melbourne's RMIT University. "When you have love in your life it influences the laws of nature to reduce the experience of time. So if you're doing an activity that you love to do, whether it's making paper aeroplanes or gardening or looking into the eyes of your lover, you get moments when time seems to stop, or it seems like five minutes but it's really been an hour."

Professor Cohen told the International Conference on Healthy Ageing and Longevity in Brisbane love also accounted for the fact women generally lived longer than men.

"Women are the major carers on the planet and from that perspective, it makes sense that women would live longer because they have more love in their life," he said.

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.

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

## Recent Court Cases

The following are a couple of recent Court cases where Magistrates found for the Corporation over individuals.

### Overdue levies - debt collection supported.

**Case 1** involves a young man who failed to pay his levies for years.

### Ryan vs Strata Corporation.

Matters in Dispute....

1. The plaintiff objected to the Strata Corporation's claims for interest, account overdue fees and debt recovery costs and said that these should not be payable by him,

2. The plaintiff said that he had been overcharged amounts of \$241 and \$518 being for collection fees paid to the debt collection agency.

3. The plaintiff accepted that the strata corporation was entitled to recover legal fees incurred in recovering the amount claimed but said that the collection fees charged by the debt collection agency do not constitute legal fees and that the only amount which the strata corporation was entitled to recover are costs payable to a legal practitioner and not otherwise,

The Magistrate found that the defendant (Strata Corporation) was entitled to recover amounts on account of interest, account overdue fees and debt recovery fees and he dismissed the plaintiff's (Unit owner) claim.

Unit owners who fail to pay their levies cause difficulties for their fellow owners and can make it difficult to undertake needed works and pay the insurance. The Court has upheld the Corporation's right to vigorously pursue owners for the debts they owe and to recover all costs in doing so.

This case was resolved some 2 years after the sale of Mr Ryan's unit.

### Recovering corporation records

**Case 2** involves an owner who refused to hand over records and funds despite being sacked as the Corporation's manager.

### Strata Corporation vs Thomson

The magistrate made the following orders....

To enable Unit Care Services to comply with its duties under Section 40 of the Act, I direct Ms Thomson to hand over to Unit Care Services all documents in her possession relevant to the Corporation including:

- all minutes of all Corporation meetings
- all accounting records in respect of receipts and expenditure
- all statements of account in respect of each accounting period in which she was strata manager or which she has access to
- any notices or orders served on the Corporation and
- all information relevant to the Corporation's banking including bank statements

I direct Ms Thomson to produce all documents relevant to the management of the Corporation and the Corporation's bookkeeping, whether those documents are in the possession of Ms Thomson or stored elsewhere.

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*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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## Your Office in a Box - Help for Investors

Remember the 'accountants shoebox'? Accountants love them because they can charge an hourly fee to sort them out, and hate them because they'd rather do accounting than sorting out.

Either way, it's the investor who pays the cost!

Well, now an enterprising South Australian bookkeeping company, **Your Office In A Box**, has invented an alternative to the accountant's shoebox that makes property and share investors lives much less complicated.

**For Property Investors**, the filing and processing system is easy and makes tax time simple.

All documents relating to purchases, costs, expenditure and income go into the files marked appropriately within the supplied 'Box'. A copy of relevant bank statements makes the 'Box' ready for delivery to the Hackney Road Home of **Your Office in a Box** where bookkeepers process the information and tax accountant Sandra Lockwood makes it taxation ready.

Investors receive monthly or quarterly reports on property expenses, year to date income and profitability. Rates, land tax and other regular or incidental payments can be made on behalf of clients wishing to relieve themselves of the burden that these tasks bring. As an option, the service can even offer rent collection!

**For Share Investors**, **Your Office in a Box** is a simple, no fuss, no worry, cost effective bookkeeping service to simplify investment record keeping while reduce accounting costs.



Into the 'Box' go copies of buy and sell orders, share certificates, CHESS, dividend and bank statements as they are received. The box is delivered monthly or quarterly to **Your Office in a Box**.

Both Share and Property services are valuable for people who travel. **Your Office in a Box** can handle everything while you are away.

An investor with both property and shares could pay between \$150 quarterly (plus GST) or \$75 monthly (plus GST) to have rates, levies and land tax paid and bookkeeping completed, tax ready and accurate. Sandra Lockwood, Inventor of **Your Office In a Box** and registered tax accountant, says that almost every one of her tax clients using 'Your Office In A Box' has lowered their overall taxation accounting costs.

Ring **Your Office in a Box** on 8363 7769 to arrange a personal quote for services to meet your needs.

Website [www.YourOfficeinaBox.com.au](http://www.YourOfficeinaBox.com.au) provides information on costs, benefits and details of the simple processes required to use and benefit from **Your Office in a Box** services.

**Editor:** *I have known the business developer of Office in a Box, Lindsay Holmes, for some 30 years. I can recommend him as an ethical hard worker who has a history of putting his clients 1st.*

See our web site for a link to **Your Office in a Box**.

## Adelaide Festival of Ideas

The Adelaide Festival of Ideas is upon us again from 10th - 13th July. Adelaide will play host to around 50 thinkers and activists from across the world who have been asked to engage us with their responses to the question, "What is to be done?"

This is an age-old question, a rallying point for revolutionaries and clerics.

We live peaceably and in considerable comfort, but...  
- our Indigenous people have a life expectancy that is out of Africa;

- our abundance has given rise to 'affluenza', with obesity confronting us wherever we look;  
- our land weeps salty tears at how we abuse it; and  
- many of our boys languish at school.

There is, in short, no shortage of challenges; what is to be done about them is another matter.

Speakers include civic-minded business people, social entrepreneurs, intellectuals, discoverers and teachers, as well as one or two revolutionaries and clerics. Local and international speakers include; Eva Cox, Julian Disney, Bob Ellis, Germaine Greer, Graeme Hugo, Julian Burnside and John Cain.

Join us in July 2005 to take heed, draw heart and renew your strength for change.

Visit [www.adelaidefestivalofideas.com.au](http://www.adelaidefestivalofideas.com.au) for more information on the great range of national and international speakers and how to book or phone the Adelaide Festival Centre on 131 246.



help for investors

## Termite Attack - Who Is Liable ?

Recently we provided a report for an owner in a group of 8 units. His unit had sustained in excess of \$30,000 of termite related damage.

The damage was continuing and the Corporation had to date taken no action. His unit had not been tenanted for more than a year.

Interestingly, in a letter to the agent of Unit 8 the Strata Manager states 'I confirm that the Corporation is responsible for the damage caused by termites to the common property; however the Corporation is not responsible for the damage to the unit owner's property'. If the Corporation failed to undertake regular inspection, as we understand is the case, for what is a foreseeable attack in Adelaide, we believe the Corporation may be liable for all repairs that are the result of its oversight. Our conclusions in this case were....

There appears to have been a series of breakdowns in communication between the agent for unit 8 and the Corporation / Strata Manager.

There also appears to have been a failure to understand the law in relation to this serious matter.

- The Agent for Unit 8 arranged for and paid the pest control company
- The Agent may have failed to advise the strata manager / Corporation
- The Strata Manager appears to have failed to advise and have the Corporation undertake annual termite inspections
- The Strata Manager appears to have failed to understand that the Corporation has an exposure to claims from owners who have suffered losses due to the Corporation's negligence.

The writer suggests that given the time taken to address the issues and the number of parties involved that the following should occur in the near future:

- The boundary issue be resolved to prevent termite entry in the future. This will require expert advice and negotiations with the neighbour. This is urgent.
- The Corporation, its manager, the owner of unit and their agent seek mediation with a view to sharing costs. This can be done through the Adelaide Magistrates Court mediator, the Community Mediation Services or through the use of a professional mediator. Given the size of the repair bill some parties may need to advise their respective insurance companies of a potential claim. The insurance companies may assist with mediation.
- The Corporation have an annual termite inspection of all units along with their yards.
- That all owners ensure that there are no materials or soil stored against the exterior of their units.
- That all owners ensure that water from irrigation systems does not spray against exterior walls of their respective units.

Our report was circulated to all owners and we understand that urgent action has been undertaken including solving the original cause of the infestation - the retaining wall adjacent to the unit.



## Court Cases (continued from page 1)

I direct Ms Thomson to facilitate the transfer of all archival material relating to the Corporation to Unit Care Services. Should there be any dispute about this archival material, liberty to apply.

I direct Ms Thomson to make full disclosure to Unit Care Services of all claims outstanding as to the cost of her services as strata manager for the financial year 2003-2004.

Given that her services as a strata manager were terminated at the meeting of the Corporation on 25 May 2004, she is ineligible to claim any fee for service after that date.

Should there be any monies approved to be spent by the Corporation but still held in any bank account of the Corporation as of today's date, Ms Thomson

must obtain the consent of UnitCare Services before distributing these funds. Should a dispute arise as to the distribution of funds as of today's date, liberty to apply.

Mr Russell undertakes to hold an Annual General Meeting upon receipt of all documents that are required for him to finalise the reports he is required by the Act to provide to the Annual General Meeting. I direct Mr Russell to hold an Annual General Meeting within one calendar month of receipt of the materials Ms Thomson is required to hand over.

This matter took some 12 months to resolve.

These cases and many others involving body corporates make the case for a cost effective specialist tribunal. We understand legislation to reform many body corporate matters will soon reach State Parliament.

termites - negligence