



Strata Reform 2016



Fact Sheet #6 - Strata Managers

+ APPOINTMENT – STRATA MANAGERS

- Appointment and Termination of a Strata Managing Agent can only be by Resolution at a General Meeting.
- The developer of a Strata Scheme, or a person connected with the developer, is not entitled to be appointed as the Strata Managing Agent of the Scheme until after the end of the period of 10 years commencing on the date of registration of the Strata Plan.

+ TERM – STRATA MANAGERS

The term of appointment expires:

- If appointed at the First Annual General Meeting – at the end of the period of 12 months, or
- In any other case – at the end of the period or 3 years maximum, and is taken to include an option to extend the term of the appointment for a maximum period of 3 months after the end of the term.

The term may be extended by the Strata Committee for successive periods of up to 3 months, but not beyond the date of the next Annual General Meeting.

The Strata Committee must give the Strata Managing Agent at least 1 month's notice of a decision not to reappoint or not to further extend the appointment.

The Strata Managing Agent must give the Owners Corporation notice before the end of a term:

- At least 3 months before the end of the term of appointment, and
- At least 1 month before the end of each extension of a term.

+ DISCLOSURE – STRATA MANAGERS

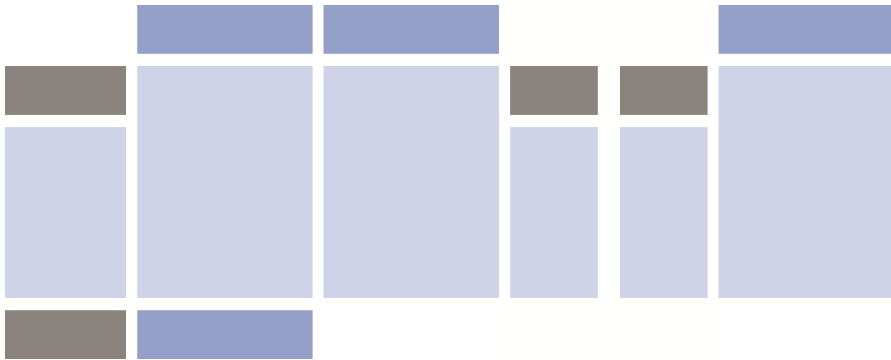
A Strata Managing Agent must report the following at the AG M:

- Any commissions or training services provided to or paid for the Agent during the preceding 12 months, and
- Any commissions or training services that the Agent believes are likely to be provided to or paid for the Agent in the following 12 months.

At a Glance

- Appointment
- Term
- Disclosure
- Best Practice
- NCAT





+ BEST PRACTICE – STRATA MANAGERS

Bright & Duggan agreement term recommendations:

- Minimum Term 18-20 months
- Maximum Term 30-33 months

This will provide assistance and flexibility for when the next Annual General Meeting will be held, and will ensure don't get caught out by delegations lapsing.

+ NCAT – STRATA MANAGERS

The Tribunal may order a Strata Managing Agent to:

- Pay the whole or part of the amount or value of any commissions or training services provided to or paid for the Agent and not disclosed or
- That are not of a kind or an amount disclosed, if it is satisfied that the disclosure of those things was not made in good faith



+ APPOINTMENT – BUILDING MANAGERS

A **Building Manager** is a person who assists with the following functions:

- Managing common property
- Controlling the use of common property
- Maintaining and repairing common property

A Building Manager may be appointed:

- By the original owner before the Strata Scheme commenced, or
- By Resolution passed at a General Meeting after the Strata Scheme commenced.

Term of appointment of a Building Manager ends:

- At the conclusion of the First Annual General Meeting, or
- When 10 years have expired (including any term or option to renew), or
- At the end of the term

+ NCAT – BUILDING MANAGERS

The Tribunal can review and terminate agreements with the Building Managers.