

So you are interested in joining a new Community!

Below is some brief information relating to your purchasing into a Community title group of units. You may have previously owned a House or Strata property. These Torrens Title or Strata Title properties function under a different Act to your new Community property. Community property units are called "Lots" and are governed by the Community Titles Act 1996 and associated regulations. Your unit is additionally governed by your "Scheme Description" and "By-Laws". Every single Community titled property group is different and as such it is vital that you understand your rights and responsibilities. Please note that the details listed below may or may not be relevant to your property and have been kept generic to community title living, not your specific site.

COMMUNITY TITLE ACT 1996

Under the Community Title Act 1996, there are certain obligations that your new community must meet. Below are some important factors requiring attention by the group.



INSURANCE

The Community Title Act covers varying styles of building. In some of these buildings it will be a legal requirement that the collective group of Owners insure the whole building and all property together in the one policy. In other types of building, the By-laws and Act may require you to insure your own individual unit (Lot) separately [S106(1)] and provide evidence that your unit is insured. The common property areas will still require insurance by the group collectively. Other forms of insurance are also required to form part of your policies. Advice should be sought to ensure the group is compliant and protected. You should also consider other individual insurances such as contents and landlord.



MEETINGS

Annually, the group of Owners (Members) are required to arrange and have this meeting where the group reviews the year gone, and the year forward. The general meeting must be held with-in 3 months of the end of the groups financial period (year). The first Meeting of the group must be called with-in 3 months of the date that there are at least 2 different Community Members (not including the Developer).



ADMINISTRATION FUND

Community Corporations are required to keep a fund consisting of contributions made by the lot owners [ss116 (1)-(2)]. These funds are used to pay recurrent expenses of the group (including common insurance). These contributions are binding and are recoverable as a debt against a lot owner including interest [s114(8)]



SINKING FUND

[ss116 (1)-(2) of the Community Titles Act 1996 requires the group to establish a sinking fund paid into via contributions of the Lot Owners for the purpose of funding non-recurrent expenditure. Essentially this is set for works that you do not need to do every year but may need to do every so often. Depending on the type of building this could include common painting or fencing, roofing and the like (some of these will not apply depending on your building and scheme description).



BY-LAWS

Every group has a set of by-laws which are lodged with the lands Title Office. It is important to understand that these by-laws effect what you can and cannot do at your property. These by-laws can be amended and altered in accordance with decisions made by the Owners at properly convened meetings. Some of the By-law topics which may affect you include:



Pets

Can I house a pet/s?
how many pets?
what type of pets?
What if my neighbour's pet is noisy?



Parking

where can I park?
Can my Visitors occupy a parking space? Which spaces?



Common Property

How can I use certain parts of common property?
The lawn area? The pathway? The balcony?



Breaches

What can the Community group do to enforce the By-laws and Community Title Act 1996?
What if I breach the by-laws?

Ensure that you review your Scheme Description, By-laws and any other information you have received. If an inaugural meeting has not yet been arranged, contact your neighbours and/or a Professional Community Title Manager such as Stratarama who can guide you through the requirements to ensure that your group is compliant and meeting its legal obligations.

If you would like Stratarama to provide assistance, please contact Tony Johnson of **Stratarama** on:

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It's your Community.

