

Owners Corporations and Discrimination Legislation

Is your owners corporation likely to be subject to claims that it is discriminating against disabled persons?

A recent decision of the Administrative and Equal Opportunity Division of NCAT has determined that an owners corporation “provides services” to owners and occupiers within a strata scheme. As a result, owners corporations are potentially subject to the provisions of the *Anti Discrimination Act 1977*, in relation to the way that owners corporations manage and control common property and the finances of the strata scheme.

This raises the prospect that owners corporations may face increasing burdens to manage common property with the needs of disabled persons in mind.

Potential Implications for Discrimination in Strata Schemes

Potentially, this decision widens the possibility that claims under the *Anti Discrimination Act* can be brought against owners corporations for issues such as:

- providing alternatives to stairs
- installation of lifts
- installation of other lifting mechanisms
- broadening of doorways to enable wheelchair access
- providing non-slip devices
- providing access ramps
- accessibility of garbage facilities
- accessibility of recreational facilities

Owners corporations would be well advised to take great care, and even to [seek advice](#), when issues of discrimination are

raised by lot owners and residents .

Read the full article here: [Owners Corporation and Discrimination Legislation.](#)

For all NSW strata legal including by-laws, building defect and levy collection advice contact us [here](#) or call 02 9562 1266, we're happy to assist.