

National Strata Regulations are on the Way!

From sunset clauses to cooling-off periods, changes to the strata laws are being considered all over Australia.

The first cab off the rank will be modifications to the Victorian strata laws, due to be implemented in the next couple of months. These changes will bring some of those laws into line with NSW strata laws.

Some proposed changes include:

1: Sunset Clause

The new laws will clean up the 'sunset clawback' regulations. The laws will prevent property developers from deliberately delaying the completion of buildings, in order to invoke the sunset clause.

No longer allowed will be the cancelling of contracts and the readvertising of properties on the market, at a much higher price.

Get out clauses will also be introduced for people who've bought properties off the plan, and discovered their completed apartment is substantially different from what they'd agreed to buy.

2: Cooling Off Period

The cooling off period will be extended from five to 10 business days with limitations on the vendor's ability to get purchasers to sign those rights away.

3: Proxy Farming

Committees will be reduced from 12 to seven members with

restrictions on proxy farming and committee proxies.

4: Voting Rights

Lot owners voting rights on contractual limitations will be banned. It's also yet to be seen if this will affect the vetos on short term letting often pre imposed on purchasers of new buildings.

5: Levies

Lot owners who default in paying their levies will incur more debt recovery costs but, on the other hand, for those people suffering hardship payment plans can be arranged.

6: Renovations

Owners corporations will be able to set conditions under which renovations must be conducted, clamping down on rogue renovators, while rules that unreasonably prohibit the installation of sustainability measures will be invalid.

7: Smoke Drift

Rules to combat cigarette smoke drift will be allowed and residents made responsible for their guests' behaviour, including being fined for any breaches.

8: Penalties

Maximum penalties for rule breaches will be increased to \$1,100, with the fines paid to the owners corporation. Voting thresholds for legal action will vary, depending on the level of courts involved.

If these laws are accepted, we'll see a huge step closer to a uniform set of national strata laws.

More Information

You'll find more information (and proposed laws)

at consumer.vic.gov.au/OCBill. These regulations reflect many of the NSW laws in place and how they'll roll out nationally.

For NSW strata legal or levy collection advice contact us [here](#) or call 02 9562 1266, we're happy to assist.