

104 Certain records to be retained for prescribed period

An owners corporation must cause the following to be retained for 5 years or such other period as may be prescribed by the regulations:

- (a) the records, notices, orders, minutes of meetings and accounting records required to be kept under this Division,
- (b) its financial statements,
- (c) copies of correspondence received and sent by the owners corporation,
- (d) notices of meetings of the owners corporation and its executive committee,
- (e) proxies delivered to the owners corporation,
- (f) voting papers relating to motions for resolutions by the owners corporation and to the election of office holders and the executive committee,
- (g) records served on the owners corporation by the strata managing agent relating to the exercise of functions by the agent,
- (h) such other documents as may be prescribed by the regulations.

Maximum penalty: 5 penalty units.

In 2001, Raine & Horne Strata Sydney (BCS Strata Management since 2010), deliberately destroyed ballot paper for election of the Executive Committee straight after the meeting, in non-compliance with SSMA 1996 S104. This was not the only evidence of destroying strata documents by BCS Strata Management in large strata plan 52948:

MINUTES OF THE ADJOURNED ANNUAL GENERAL MEETING OF STRATA SCHEME NO. 52948, 1-15 FONTENAY ROAD
HOLDING HELD IN MEDINA APARTMENTS, 2-8 BUSACO ROAD MARSFIELD ON WEDNESDAY 17 OCTOBER 2001 AT

E Saultis, J Edye, U Aranwela, P Barrett, J Ward, C Chan, C Jacka, S & T Pogorelsky,
A Coates, M McDonald, R Kerr, L Phillips, J Hung, P Ng, J Wang and G Raichman.

Lot 13, 44, 50, 55, 83, 84, 136, 139, 147, 154, 160, 162, 180, 190 and 203 to the Chairman
Lot 75, 76, 80, 130, 133 and 135 to G Raichman
Lot 33 and 143 to J Wang
Lot 106 and 140 to J Fry
Lot 186 to J Edye
Lot 158 to S Pogorelsky
Lot 42 to A Coates

R, M & G Kahramanian, M Blitz, R & M Craig and S French

J Fry of Raine & Horne Strata-Sydney.

That the minutes of the last general meeting be approved - Carried.

That the attached financial statement be confirmed.

Resolved that the financial statement be accepted.

(Note levy arrears are pursued on a regular basis and legal action taken where required)

To decide whether an auditor should be appointed.

Resolved to continue to have the financial statements audited with the managing agent
authorized to appoint a suitable auditor.

To determine the number of Members for the Executive Committee and to elect Members of the
Executive Committee.

Resolved that the number of the Executive Committee Members be set at 9.

10 nominations were received and a ballot held with the following persons elected as members
of the Executive Committee: M McDonald, E Saultis,
G Raichman, S Pogorelsky, U Aranwela, J Ward, J Wang and B Hamilton.

It was agreed that the ballot papers be destroyed after the meeting.