

As per required evidence for NSW Fair Trading Reference Number 7563482, and Section 108 of the NSW Strata Schemes Management Act 1996, I am requesting access the following documents IN THE WEEK AFTER THE NOTICE FOR THE AGM 2015 IS SENT TO ALL SP52948 OWNERS AND BEFORE THE ACTUAL GENERAL MEETING.

Access to documents is only one part of the actions for AGM 2015. As recommended in the Department of Fair Trading's case 7563482 in late May 2015, several Motions will be presented by me and it is STRATA MANAGER'S DUTY AND LEGAL OBLIGATION to ask me to provide them to you for the inclusion in the agenda for the general meeting in due course of time. One of them will be in regards to forensic audit of all accounting books for the last five years (or more if evidence is not destroyed).

Accordingly, to allow the owners corporation it's right to determine the most appropriate course of action, in relation to your allegations. You may wish to include a motion at the next properly convened general meeting to engage the services of a forensic auditor to scrutinise the schemes accounts. Should the audit identify failures to account or the misappropriation of the schemes funds the matter should be referred to Fair Trading.

Australian Competition and Consumer Commission (ACCC) reference number for this matter is REF1733927. Details of the Police reports are not disclosed.

Over the last two years, Mr. Greg Freeman refused to act or investigate BCS Strata Management upon documented issues 30 times. Mr. Greg Freeman serves as Chief Operating Officer for NSW of Body Corporate Services Pty Ltd. Mr. Freeman has been Portfolio Manager of BCS since 2000. Mr. Freeman served as Financial Analyst and Corporate Banker of two American financial institutions as well.

Trying to engage Strata Community Australia (NSW) to investigate their professional member was met with silence. That is not unexpected because some members of the SCA have direct conflict of interest in regards to BCS. Mr. Greg Haywood. He is a CEO of the PICA Group which includes Body Corporate Services (BCS) and Director (President) of Strata Community Australia (NSW):

SP52948 borrowed money from PICA (cash advance) in August 2014, without disclosing it in any documents to owners (including AGM in November 2014), which was paid back six months later.

BCS "miraculously" won the "tender" for strata management in November 2014 for three years. One of the EC members who was allegedly involved in "serious tender" left the complex in March 2015.

As a professional Strata Manager, with additional duty of a Chairperson, Treasurer and Secretary of the EC your legal obligation is to:

1. **Owner's first submission on 16<sup>th</sup> of August 2015 was read by staff at BCS (including Branch Manager Mr. Billy Cheung) and EC members but not responded or acknowledged. Request for document viewing was resent on 2<sup>nd</sup> of September 2015, and then forwarded to COO of BCS Strata Management Mr. Greg Freeman on 15<sup>th</sup> of September 2015. Like AGM 2014, AGM 2015 was conducted without allowing access to strata documents not only to me, but also proxies vested in me.**
2. **Hence, the request for document viewing is now extended with additional items on 21<sup>st</sup> of November 2015. This time, the payment for document viewing is enforced by me in advance, without waiting for BCS Strata Management to issue one.**

**Preferred dates for document inspections;**

**Friday, 28<sup>th</sup> of November 2015, from 09:30 hours onwards**

**Tuesday, 1<sup>st</sup> of December 2015, from 09:30 hours onwards**

**Friday, 4<sup>th</sup> of December 2015, from 09:30 hours onwards**

3. **We must reach an agreement within three days after BCS Strata Management receives my application, or propose another date no later than 10 days after the owners corporation receives my application.**
4. **Officially respond which of the listed documents BCS Strata Management and the current EC is not willing, or cannot provide, stating reasons why.**
5. **I reserve the right to add more items, if deemed necessary, as long as they are provided to you in a timely manner before the day of the document viewing.**
6. **At the end of document viewing, any dispute about missing or incomplete documents shall be signed by the authoritative representative of BCS Strata Management.**

In the past 15 years, BCS Strata Management CONSISTENTLY REFUSED to provide full financial statements to any owner (against common practice in majority of other complexes). None of these requests would be needed in other complexes because the Strata Manager and the EC would provide them automatically on a six-monthly basis and before the general meetings.

As per Audit's note in yearly's report, providing correct accounting statements are solely the responsibility of the Strata Manager:

*The Responsibility of the Managing Agents for the Financial Report*

The Managing Agents of the entity are responsible for the preparation and fair presentation of the financial report in accordance with the Strata Schemes Management Act 1996, and have determined that the accounting policies described in Note 1 to the financial statements, which form part of the financial report, are appropriate to meet the needs of the Members of the Strata Plan. The responsibility of the Managing Agents also includes establishing and maintaining internal control relevant to the preparation and fair presentation of the financial report that is free from material misstatement whether due to fraud and error.

As always, I will carry portable scanner and a camera.

I expect and request that all the documents listed below be READY when I come. 1h30min will be sufficient for the document viewing and printing (if required).

Update in May 2016.

Almost none of the documents were made available on the day of the visit on 18<sup>th</sup> of December 2015. Promises by BCS Strata Management and Pica Group to allegedly investigate the issues are publicly confirmed as broken, misleading and deliberately misconceived. For six months nobody from BCS Strata Management or Pica Group attempted to contact me or prove that any investigation is happening.



**BCS Strata Management Official**

Thank you for your feedback.

We have escalated this within our team to our Managing Director and Group CEO of the PICA Group of Companies, Greg Nash. He will be taking over this matter personally and has begun an internal investigation into these allegations. We are working on the assumption that they are genuine and this is not an unfortunate misunderstanding. This investigation will determine next steps and our response.

In order to resolve the matter as quickly as possible, could you please contact us on (02) 8216-0387. This will ensure Greg is involved in future dialogue on this matter.

The PICA Group is committed to excellent customer service with integrity and honesty at all times. It is the PICA Group's intention to resolve this matter quickly and fairly for all concerned.

Thank you.

BCS Strata Management posted on Dec 09, 2015



**Access to the following documents is required:**

- Documents showing who approved payments to Universal Property Services for undelivered night-shift security services amounting to losses above \$14,000.00 in FY 2014 (Universal Strata Services cut night shift by two hours each night during whole FY 2014, and kept the undeserved earnings to themselves, security guards received no benefits from this overpayment from SP52948). EC was officially recorded admitting to this loss in common funds.

Security guards confirmed that their working hours were cut down without owners corporation approval in September 2013, but Universal Property Services continued to invoice for full hours. BCS Strata Management and all member of the EC were notified about it on 1<sup>st</sup> of December 2013:

Subject: OFFICIAL SUBMISSION FOR SECRETARY: SP52948 Working hours for Security Guards on 1 Dec 2013

Date: Sun, 01 Dec 2013 09:16:35 +1100

To: Peter Bone <PeterB@bcms.com.au>

CC: Paul Banoob <Paul.Banoob@picaust.com.au>, EC members

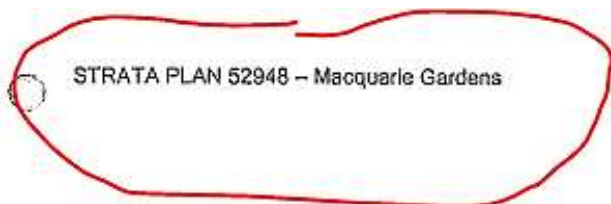
For whole 11 months before the AGM 2014, the EC and BCS Strata Management continued to waste common funds for services that had not been provided.

- **Evidence of competitive tenders for large expenses during FY 2015:**

- Roseriver Pty Ltd Hot Water System for Block D - \$46,200.00 in June 2015
- Roseriver Pty Ltd Hot Water System - \$10,109.00 in September 2015
- Kintyre Building Services Roof Membrane Block B - \$59,356.00 in February 2015
- Kintyre Building Services Roof Membrane Block D - \$109,285.00 in October 2015

**Outcome: Not found in any Folder or in computer search for SP52948 on 18<sup>th</sup> of December 2015.**

- **Evidence which EC members and BCS staff authorised and knew about secret cash advance from BCS parent company PICA before AGM 2014, repaying six months later, and hiding it from owners for 15 months now!**



Invoice No: 948  
 Date: 22/09/2014  
 Debtor Id: SP52948

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Description	Exclusive GST	GST	Amount
<u>REPAYMENT FOR CASH ADVANCE TO PICA FOR SP52948 - 21/08/14</u>	<u>\$18,859.55</u>	\$1,885.95	\$20,745.50
<i>Total Amount Due:</i>	\$18,859.55	\$1,885.95	<u>\$20,745.50</u>

**Outcome: Not found in any Folder or in computer search for SP52948 on 18<sup>th</sup> of December 2015.**

- **Accounting details for two cheques, missing in balance sheet at AGM 2014:**

- 13<sup>th</sup> of February 2014 in amount of \$10,000.00
- 3<sup>rd</sup> of March 2014 in amount of \$16,500.00

The first cheque was last time seen in hands of EC member and never accounted for in any financial report or disclosed since then.

**Outcome: Not found in any Folder or in computer search for SP52948 on 18<sup>th</sup> of December 2015.**

- **Evidence of competitive tenders for renewal of caretaker’s contract (already requested through paid document search as per SSMA 1996 s108 in October 2014, which BCS Strata Management REFUSED TO PROVIDE).** Caretaker’s contract was “awarded” to ex-staff of incumbent Caretaker (who had advanced insider’s knowledge of his employer’s contract), with increase of around %16 in comparison to previous year. Total cost of caretaker’s contract over next two years is around \$580,000.00.

For the last 15 years, the Caretaker’s contract totalling around AU\$3,500,000.00 over 15 years, never issued request for tenders. EC and the Strata Manager solely “negotiated” its renewals, increases in remuneration, and conditions (non-compliance with Strata Schemes Management Act 1998 Section 80B). In FY 2013 and 2014, allegedly another member of the EC (now left complex), managed the tenders for the Strata Manager and Caretaker.

The tender by Universal Strata Services is invalid due to advanced request to investigate them for various misconduct and legal issues, so they were never a contender for the job.

The contract for caretaking, pool and garden maintenance, and cleaning services with Caretaker in December 1999 increased by more than 33% in comparison to expenses in prior financial year without any tender (non-compliance with Strata Schemes Management Act 1998 Section 80B), and without decision at the general meeting:

Financial Year	Contract Value
1999	\$186,611.00
2000	\$220,168.00
2001	\$220,624.00
2002	\$218,938.00
2003	\$218,167.00
2004	\$222,376.00
2005	\$227,995.00
2006	\$228,438.00
2007	\$232,844.00
2008	\$235,560.00
2009	\$244,287.00
2010	\$264,080.00
2011	\$245,094.00
2012	\$255,673.00
2013	\$256,605.00
2014	\$249,165.99

Year	1999	2000
Caretaker	\$14,395.00	\$93,062.00
Cleaning	\$47,571.00	
Gardening	\$37,044.00	\$39,469.00
Security	\$80,641.00	\$80,968.00
Total	\$179,651.00	\$213,499.00

Contract for Security was originally given to another company (separate contract) at the Executive Committee meeting on 24<sup>th</sup> of June 2000 and it was not part of the contract granted to Caretaker.

At the Executive Committee meeting held on 14<sup>th</sup> of February 2001, another member of the Executive Committee, and Strata Manager from Raine and Horne Strata Sydney Mr. John Fry, without giving any details of the tenders to owners corporation, Caretaker was granted last remaining part of the main contract – Security. All three other tenders were ignored, without disclosing details:

- Bright Light Security
- Allnet Security
- Secom Security

**Outcome: Not found in any Folder or in computer search for SP52948 on 18<sup>th</sup> of December 2015.**

- **The EC meeting held on 12<sup>th</sup> of February 2014 stated that the service provider failed to install number of LEDs, although they had charged owners corporation for the work.** Since that meeting, owners never received an update if Strata Manager resolved the issue of undelivered service. EC member was delegated duty to investigate it.

Over the last three years, (2013-2015) undisclosed expenses for various lights replacements and "improvements" amounted to above \$60,000.00.

**Provide document with EC member from Lot 148 findings and actions.**

**Outcome: Not found in any Folder or in computer search for SP52948 on 18<sup>th</sup> of December 2015.**

- **Copies of all paperwork and tender for the Strata Management contract awarded in 2013.**

If they are not "available" to the Strata Manager for "commercial reasons", they must be available to each and every owner through separate methods and the members of the committee can pass them on. Whether I get them in letterbox, or via some other method, it does not matter.

**Outcome: Not found in any Folder or in computer search for SP52948 on 18<sup>th</sup> of December 2015.**

- **Evidence of valid legal contract and earnings credited to owners corporation by "allowing" BigAir Group to run wireless services in our complex.**

**Proof of BigAir Group reimbursements for electricity usage in the complex.**

**All correspondence with BigAir in period 2010-2015, including undisclosed legal costs.**

**All correspondence with Office of Telecommunications Ombudsman and Australian Communications and Media Authority in period 2010-2015 (if applicable).**

Reminder: they have been running business without proper reimbursements and benefits to the owners corporation since 2004.

During FY 2014, Grace Lawyers charged our complex \$4,172.30 (GST inclusive) for attempts to remove this company from the complex to no avail. Grace Lawyers issued order for their eviction on 31<sup>st</sup> of January 2014.

Losses to owners corporation over 11 years amount to above \$250,000.00.

**Outcome: Not found in any Folder or in computer search for SP52948 on 18<sup>th</sup> of December 2015.**

- **Paperwork for AGM 2013, 2014, and 2015, including proxy papers, and ballots.**

**Outcome: Not found in any Folder or in computer search for SP52948 on 18<sup>th</sup> of December 2015.**

- **Bank statements and current accounting in all strata accounts in period 1<sup>st</sup> of September 2015 and the date of my visit.**

**Outcome: Not found in any Folder or in computer search for SP52948 on 18<sup>th</sup> of December 2015.**

- **Details of official signatories who can withdraw the funds from strata funds.**

**Outcome: Not found in any Folder or in computer search for SP52948 on 18<sup>th</sup> of December 2015.**



- **Calculation of quorum at AGM 2014 and 2015.** For FY 2014, the official minutes listed 66 owners being present in person or via proxies (some representing multiple lots). Of those, 17 were allegedly unfinancial.

Because balance sheet was the only financial document presented to owners, provide evidence how could owners like EC members be financial when they failed to pay levies in accordance with the schedule (balance sheet reported final figures, meaning paid levies from which water and gas reimbursements were must be subtracted). BCS applied that ruling for expenses like legal fees, so the same ruling must apply in case of levy contributions.

Strata Manager Mr. Russell Young and Branch Manager Mr. Billy Cheung, and EC refused to provide proofs of who was financial before the general meeting.

**Outcome: Not found in any Folder or in computer search for SP52948 on 18<sup>th</sup> of December 2015.**

- **Proof that long-standing EC member from Lot 218 paid all levies, as per outstanding contributions letter sent to him on 20<sup>th</sup> of October 2014 in amount of \$1,450.40 before the AGM 2014.**

**Outcome: Not found in any Folder or in computer search for SP52948 on 18<sup>th</sup> of December 2015.**

- **Copies of all paperwork and tender for the Strata Management contract awarded to BCS Strata Management in 2014 for two-year period:**

No.4 That, in accordance with section 27(1) of the *Strata Schemes Management Act 1996* (Act):

- (a) BCS Strata Management Pty Limited trading as Body Corporate Services be appointed as strata managing agent of Strata Scheme No. 52948 for a minimum period of two years commencing 1 December 2014;
- (b) the Owners Corporation delegate to the Agent all of the functions of:
  - i. the Owners Corporation (other than those listed in section 28(3) of the Act); and
  - ii. its chairperson, treasurer, secretary and Executive Committee, necessary to enable the Agent to carry out the 'agreed services' and the 'additional services' as defined in the written agreement, a copy of which was attached to the notice of the meeting at which this resolution was passed (Agreement);
- (c) the delegation to the Agent is to be subject to the conditions and limitations in the Agreement; and
- (d) the Owners Corporation represented by any two members of the Executive Committee execute the Agreement to give effect to this appointment and delegation; and
- (e) authority be given for the common seal of the Owners Corporation to be affixed to the Agreement in accordance with Section 238 of the Act.

If they are not "available" to the Strata Manager for "commercial reasons", they must be available to each and every owner through separate methods and the members of the committee can pass them on. Whether I get them in letterbox, or via some other method, it does not matter

The base contract increase (not including commissions) is above 3%.

**Outcome: Not found in any Folder or in computer search for SP52948 on 18<sup>th</sup> of December 2015.**



- There were more than NINE candidates for the Executive Committee at AGM 2014, as officially submitted before the meeting to Strata Manager Mr. Russel Young in a timely manner. Provide full copies of ballot papers with proof of how voting was conducted at the meeting.

**Outcome: Not found in any Folder or in computer search for SP52948 on 18<sup>th</sup> of December 2015.**

- Full accounting documents as audited by certified accountants for last three financial years (period 1<sup>st</sup> of September 2012 to 31<sup>st</sup> of August 2015):

Debtor Financial Status

Cash Book Receipts

Cash Book Payments

Bank Reconciliation

Detailed Expenses (Transaction Records) for Admin and Sinking Funds

Cash Management

Statement of Financial Position (electronic copy of bank statements of all strata accounts on the day of my visit for document viewing)

**Outcome: Not found in any Folder or in computer search for SP52948 on 18<sup>th</sup> of December 2015.**

- Evidence who prevented my submission for Motion for AGM 2015 and DFT's recommendation for forensic accountant to verify our financial affairs.

**Outcome: Not found in any Folder or in computer search for SP52948 on 18<sup>th</sup> of December 2015.**

- Evidence of competitive tenders for insurance renewal in September 2015, which was awarded to QBE. The renewal's expense to owners corporation is \$72,456.06.

Back in FY 2013, QBE was overly expensive and owners corporation overpaid the insurance:

Strata Plan: SP52948

Strata Address: 1-15 Fontenoy Road, Macquarie Park, NSW 2113

Insurer Name: QBE Insurance Group Ltd.

Policy Number: 836665

Start Date: 21/09/2012

Expiry Date: 22/09/2013

Premium: \$84,414.77

Broker Name: Gallagher Broking Services

Cred. Code	Creditor Name	Doc. Ref. No.	Doc. Date	Doc. Total	Chq. Date	Insurer Policy
44318	GALLAGHER BROKING SERVICES	51961	40801	<b>\$52,845.27</b>	21/09/2011	CHU/QBE
4318	GALLAGHER BROKING SERVICES	62991	41173	<b>\$84,414.77</b>	21/09/2012	CHU/QBE
61410	BODY CORPORATE BROKERS	82474	41529	<b>\$76,018.39</b>	12/09/2013	Logitude Residential Strata
61410	BODY CORPORATE BROKERS	100902	41865	<b>\$77,412.43</b>	12/09/2014	Logitude Residential Strata
61410	BODY CORPORATE BROKERS	127847	42251	<b>\$72,456.06</b>	07/09/2015	QBE

In most years, SP52948 used CHU or QBE for insurance purposes. It is actually the same company. QBE acquired CHU Underwriting Agencies in 2005.

SP52948 has poor experiences with them:

- CHU rejected claim for lift cables in 2010, which were damaged by staff of Electrical Solutions company in attempt to secretly upgrade power switch to help Optus get enough power for mobile tower installation on the roof of Block C.

Electron Management company got involved in "repairs" which cost owners corporation around \$50,000.00.

CHU refused the claim although it was purely a damage by incompetent staff of Electrical Solutions (short-circuited two phase of power supply to lift in Block A):

<http://www.nswstratasleuth.id.au/Raine-and-Horne-Strata-Sydney-BCS-Course-101-Lesson-22-Attempt-to-Defraud-Owners-Corporation-of-Rightful-Income-Through-Unfair-Telecom-Installation.pdf>

- CHU paid symbolic insurance claim for bad hot water system upgrade in Block D in 2012. The company that BCS Strata Management used for repairs declared bankruptcy and they could not be chased for appalling work. Just for Block D, the expenses for hot water leaks and boilers are in excess of \$60,000.00 in period September 2011 and June 2015. Even more intriguing is the fact that the hot water boilers were replaced THREE times in period of around seven years in Block D! It took almost two years to receive warranty claim of measly \$783.50 from CHU.

And when the hot water tank was replaced in 2012, it lasted only three years, when, after numerous additional repairs, \$46,200.00 was spent in June 2015.

- In addition, QBE and underwriter CHU were involved in four insurance claims in non-existent defence case for owners of Lot 3, amounting to almost \$25,000.00.

**Outcome: Not found in any Folder or in computer search for SP52948 on 18<sup>th</sup> of December 2015.**

- Document listing which members of the EC and the date of when they approved final version of the accounting (including if they sighted the receipts) for FY 2013, 2014, and 2015.

**Outcome: Not found in any Folder or in computer search for SP52948 on 18<sup>th</sup> of December 2015.**

- Public liability insurance by owner of Lot 3 as per Special By-Law 4 during whole FY 2014 and 2015. The documents for all years before the AGM 2012 are still missing, and officially confirmed at the document viewing on 16<sup>th</sup> of September 2013, which means that the Strata Manager FAILED to uphold the By-Laws of SP52948 in this regard.

**Outcome: Not found in any Folder or in computer search for SP52948 on 18<sup>th</sup> of December 2015.**

- Correspondence provided by BCS Strata Management and the owners corporation in regards to Department of Fair Trading file 7563482, in which allegedly they notified DFT about full compliance with SSMA 1996 S108. Owner has special evidence to refute that statement and prove that government officials were deliberately misled.

**Outcome: Not found in any Folder or in computer search for SP52948 on 18<sup>th</sup> of December 2015.**

- Full professional building inspection report (roof membranes, exterior of buildings, garden beds, elevators, OH&S compliance and others) in FY 2015. Recent incomplete report documented concrete cancer and serious need for major repairs.

Schedule of appropriate maintenance as per Merion's recommendations is largely kept secret from owners (as much as all other building reports over the years):

The Body Corporate in addition to the powers and authorities conferred on it by or under the Strata Titles Act, 1973 and these by-laws, shall have the power and duty to;

(a) paint the outside of the Building on at least one occasion in every period of seven (7) years;  
 (b) replace the carpet in the Common Property of the Building every Seven (7) years;  
 (c) repaint the inside of the Building every five (5) years;  
 (d) replace all fittings in the Common Property of the building every five (5) years;  
 (e) overhaul and repair all gymnasium equipment every two (2) years;  
 (f) replace the enclosure of the lifts every eight (8) Years;  
 (g) replace the carpet in the lifts every three (3) years and;  
 (h) repaint and refurbish the pool and pool areas every four (4) years;

**Outcome: Not found in any Folder or in computer search for SP52948 on 18<sup>th</sup> of December 2015.**

- All invoices with fully itemised billing by Solicitor Mr. Adrian Mueller in period 2012 till AGM 2015.

**Outcome: Not found in any Folder or in computer search for SP52948 on 18<sup>th</sup> of December 2015.**

- Full details (invoices) of all insurance claims that the strata plan 52948 made in period 1<sup>st</sup> of August 2010 and date of my visit.

The claims must include documents that detail how they were calculated and who approved them.

**Outcome: Not found in any Folder or in computer search for SP52948 on 18<sup>th</sup> of December 2015.**

- Proof that pergolas are common property in this complex, and the date when it applied. This was already requested through SSMA 1996 Section 108 two times.

Also, copy of Land Titles Office amended ruling that the pergola roofs (and uprights) are common property in our complex (refer to EC meeting on 24 May 2000 and 14 February 2001).

**Outcome: Not found in any Folder or in computer search for SP52948 on 18<sup>th</sup> of December 2015.**

- Proof of payments details when and how much was credited back by the townhouse owners (who received water and gas reimbursements in non-compliance with Special By-Law 13) to the owners corporation up to the day of the notice for the AGM 2014 and AGM 2015 (that includes water and gas reimbursements post 1<sup>st</sup> of September 2014).

The penalty interest rate is applied in accordance with the NSW Strata Schemes Management Act 1996 and the EC has no power to reduce or waive it.

Unfinancial is any owner who is in negative for more than several dollars before, or on, the date of AGM notices being sent (as per EC's own statement in the past, which I have copy of).

**Outcome: Not found in any Folder or in computer search for SP52948 on 18<sup>th</sup> of December 2015.**

- Evidence of audit of townhouses in regards to additional gas connections. Summary of the physical inspection of additional gas connections in townhouses who enjoy selective, inequitable, and discriminatory financial benefits for private water and gas usage.

The same inspection was conducted twice for owners in the four building in last four years (at the cost of around \$4,000.00) but never for townhouse owners, of which some received excessive reimbursements.

**Outcome: Not found in any Folder or in computer search for SP52948 on 18<sup>th</sup> of December 2015.**

- Register of property that is not on common-property listing any longer (owners made changes to their lots, Special By-Law 4 for Lot 3), and so on.

**Outcome: Not found in any Folder or in computer search for SP52948 on 18<sup>th</sup> of December 2015.**

- Evidence who approved and why some significant invoices were paid late in FY 2014 and 2015.

Not only it is against the contractual agreement with the vendors, but as well creates false accounting status whereas the invoices are artificially moved into different financial year pretending that the costs are lower than they really are.

**Outcome: Not found in any Folder or in computer search for SP52948 on 18<sup>th</sup> of December 2015.**

- Evidence who approved and on what basis excessive water and gas reimbursements to SELECTIVE townhouse owners in FY 2014 and 2015 in non-compliance with Special By-Law 13.

**Outcome: Not found in any Folder or in computer search for SP52948 on 18<sup>th</sup> of December 2015.**

- Register of owners with additional gas connections in buildings and dates since the levies for them should apply.

**Outcome: Not found in any Folder or in computer search for SP52948 on 18<sup>th</sup> of December 2015.**

- Evidence that all owners in buildings paid for additional gas connections in arrears (including EC member from Lot 181 since 1999) as per Special By-Law 12.

**Outcome: Not found in any Folder or in computer search for SP52948 on 18<sup>th</sup> of December 2015.**

- Evidence who authorised permanent and/or long-term parking on common property in non-compliance with By-Law 2 and 3 and names of owners who have been granted such permissions without owners corporation knowledge (two owners are well known and confirmed for the last 12 months – two EC members).

**Outcome: Not found in any Folder or in computer search for SP52948 on 18<sup>th</sup> of December 2015.**

- Evidence who at BCS, or in EC, monitors warranties for substandard and repeated repairs in the complex and actions taken to protect owners investments and why are “repeated offenders” for poor services still used.

As an example, losses in common funds from repetitive water leaks, hot water tanks, roof membranes and repairs, and garden beds amount to over \$200,000.00 over last five years.

**Outcome: Not found in any Folder or in computer search for SP52948 on 18<sup>th</sup> of December 2015.**

- All correspondence and approval for using public land for additional carpark towards M2 by Ryde City Council, together with any legal costs paid by the owners corporation if applicable.

**Outcome: Not found in any Folder or in computer search for SP52948 on 18<sup>th</sup> of December 2015.**

- All correspondence in regards to continuous faulty phone lines managed by Telstra in period 2010-2015, including prolonged faults for the whole complex in May-June 2015.

**Outcome: Not found in any Folder or in computer search for SP52948 on 18<sup>th</sup> of December 2015.**

- All correspondence in regards to alleged efforts by EC and BCS in regards to NBN rollout.

**Outcome: Not found in any Folder or in computer search for SP52948 on 18<sup>th</sup> of December 2015.**

- Evidence of corrective actions for problems and issues reported in my summary titled "SP52948-Raine-and-Horne-Strata-Sydney-BCS-Issues-to-be-dealt-with-at-next-EC-Meeting-public-version-Oct2015".

**Outcome: Not found in any Folder or in computer search for SP52948 on 18<sup>th</sup> of December 2015.**

- All monthly Caretaker's reports as per contract signed by two EC members on behalf of owners corporation on 5<sup>th</sup> of December 2014, including photo proofs of damages and faults:

**(a) Monthly**

The Caretaker will prepare an inspection report, detailing all matters requiring action and will circulate the report to the Contractor and the Strata Managing Agent of the Proprietor, including digital photos of damage and repairs and precise plan locations. The report will include all incidents that have caused damage to the Premises. Lot owner complaints about the standard of Caretaking Services will be recorded by the Caretaker and included in the monthly report. Recurrent or unresolved complaints shall be inspected by a Proprietor's Representative and the Caretaker and they will each inspect the area of the Premises in relation to which the complaint was made and the Proprietor's Representative acting reasonably shall determine the required action, if any.

**Outcome: Not found in any Folder or in computer search for SP52948 on 18<sup>th</sup> of December 2015.**

- Copy of detailed 10-Year Sinking Fund plan (never given to owners), and full report on compliance with the plan for major repairs in period 2010-2015.

**Outcome: Not found in any Folder or in computer search for SP52948 on 18<sup>th</sup> of December 2015.**

- **Copies of the tender and all paperwork for the electricity supply renewal awarded in 2015 for three-year period:**

SP52948 Common Property Electricity Expenses (GST exclusive)		
Financial Year from 1 Sep to 31 August the following year)	Electricity Expenses	Electricity Expenses Change to Previous Year
1997	\$36,369.00	
1998	\$69,048.00	89.85%
1999	\$32,392.00	-53.09%
2000	\$39,143.00	20.84%
2001	\$39,166.00	0.06%
2002	\$34,050.00	-13.06%
2003	\$35,195.00	3.36%
2004	\$36,979.00	5.07%
2005	\$38,901.00	5.20%
2006	\$42,341.00	8.84%
2007	\$46,169.00	9.04%
2008	\$49,065.00	6.27%
2009	\$50,875.00	3.69%
2010	\$60,200.00	18.33%
2011 Note 1	\$63,359.00	5.25%
2012 Note 2	\$74,792.00	18.04%
2013 Note 2	\$88,823.09	18.76%
2014 Note 2	\$83,730.83	-5.73%
2015 Note 3	\$69,150.15	-17.41% (~9% discount for Carbon Tax)

Note 1: Single EC member on his own "negotiated" new contract through broker (tendering of electricity contract) as announced at the EC meeting held on 20 July 2011:

*The EC member introduced an energy supply broker to the strata manager. The broker arranged for a reverse auction of the electricity supply to be conducted on 25th of July 2011.*

*Footnote: This reverse auction resulted in improved savings to the owners corporation over the increases quoted by suppliers to the auction. The increase in costs are estimated to be approximately 7%, which is significantly less than ordinary household account increases.*

Note 2: LED lights purchased to save energy:

\$7,815.00 LED lights Caretaker's Invoice 00000180 on 21 June 2012

\$8,313.00 LED lights/installation Carbon&Energy Reductions Pty Ltd Invoice 00240656 on 9 December 2013

Numerous other emergency light replacements costing thousands of dollars

Other LED and lighting expenses as of July 2015 above \$60,000.00

Note 3: In October 2014, an ACCC report said electricity retailers estimated that the removal of the carbon tax lowered prices to customers by 5.2 to 12.4 per cent. Government was more reserved: they estimated power prices would go down by 9 per cent. Statement by Energy Australia:

Savings for residential customers

State	Fuel	Average % savings p.a	Average \$ savings p.a
NSW	Electricity	8.9%	\$158
NSW	Gas	4.4%	\$35

Savings for small business customers

State	Fuel	Average % savings p.a	Average \$ savings p.a
NSW	Electricity	8.3%	\$452
NSW	Gas	7.8%	\$944

**Outcome: Not found in any Folder or in computer search for SP52948 on 18<sup>th</sup> of December 2015.**