

Subject: SUMMARY SP52948 Lot 181 Stan Pogorelsky using theory of relocated blame for BCS Strata Management for his own unpaid gas heating levies at NCAT Hearings in 2025

From: SP52948 Lot 158 owner

Date: 1/10/25, 09:51

To: Alex Tomasko <Alex.Tomasko@waratahstrata.com.au>

CC: Bruce Copland, Stan Pogorelsky, Genelle Godbee, Ramesh Kamini, Joe Spatola, Steve Carbone, John Gore, John Ward
picagroup@picagroup.com.au, bcs_epping@bcssm.com.au

Good morning,

Passage is an unforgiving source of revealing long-hidden facts about discriminatory levy payments in SP52948. Some owners were forced to pay all levies, and some not.

Every possible effort was made over the years to reason with BCS Strata Management, Waratah Strata Management, and committee members, to no avail.

All of them are still welcome to offer their versions of the "truth" with evidence.

1) This document is the final legal piece of evidence for NCAT Hearing on 21 October 2025 to prove that Mr. Pogorelsky has not only been unfinancial to vote and be a committee member since 1999, but also an unreliable "witness" who is prepared to blame everyone but himself, as his return of summonses (forced by Lot 158) on 17 March 2025, his witness statement on 20 March 2025, and his conduct at Hearings confirm.

2) At NCAT Hearings in case 2024/00454780 on 22 April 2025 and 22 July 2025, Mr. Stan Pogorelsky, whilst continuing to be unfinancial for unpaid gas heating levies without disclosure, blamed BCS Strata Management for allegedly failing to comply with issuance of gas heating levies in period from 1999 to 1 February 2017.

Mr. Pogorelsky mislead the Tribunal Member knowing that nobody from BCS Strata Management was present or aware of his statements, "forgetting" that he himself prevented owners and courts to have information about gas heating levies and knowingly not paying for them.

Certified audit recordings of Mr. Pogorelsky's conduct at the these meetings:

CIVIC14-4_20250422-0915_01dbb36713a2c780.mp3

CIVIC15-1_20250722-0914_01dbfae8ffe33a80.mp3

CIVIC15-1_20250722-1106_01dbfaf8a3881700.mp3

CIVIC15-5_20250411-1316_01dbaee3ec850400.mp3

CIVIC17-1_20250220-0915_01db8377ee4e0900.mp3

In addition, Mr. Pogorelsky, and five other committee members and strata manager, possibly forgot that he refused to co-operate with CTTT in case SCS 12/32675 in April 2013, which were based on huge unnecessary legal costs, falsified evidence by Solicitor Adrian Mueller (supported by committee members), and illegal meetings on 9 July 2012 and 26 April 2013 (time-wrapped to backdate of 19 April 2013).

3) Mr. Pogorelsky made further comments that due to his "care and concerns for the complex", he raised the issue of unpaid gas heating levies to Waratah Strata Management when they took office in 2017, which was a complete fabrication because he was aware of Lot 158 efforts to force all owners with gas heating connections to pay their fair share since 2010 when such scheme was uncovered for the first time.

4) One of the common approaches by Mr. Pogorelsky was always to blame parties who were absent or not aware of his statements.

Mr. Pogorelsky was very supportive of BCS Strata Management as this evidence showed, so blaming them in 2025 was just a blame-shifting attempt.

5) Emphasis is on non-compliant committee's meeting dated 4 March 2015, Motion 12 to charge for unpaid gas heating levies and secret private meeting between then-Chairperson Bruce Copland and unfinancial Mr. Stan Pogorelsky, where BCS Strata Management charged \$214.50 without disclosure to owners.

6) Motion 12 at that committee meeting confirmed that owners like Mr. Stan Pogorelsky did not even get invoices for gas heating levies for last two quarters (at Hearing on 22 April 2025, Mr. Pogorelsky, Bannermans Lawyers, and Waratah Strata Management failed to remind the Senior Member that Mr. Pogorelsky's defence of his unpaid levies was flawed and void (Section 78(6) of the NSW Strata Schemes Management Act 1996 and Section 83(4) of the Strata Schemes Management Act 2015 (NSW)), and that such owners who disclosed their use of gas heating would be charged rates as they applied at the time, including interest charges:

12. OTHER GENERAL BUSINESS:

Gas billing

The managing agent was instructed to reinstitute the quarterly billing for gas heating which has now been omitted for two quarters.

Lot owners who have voluntarily disclosed the use of common gas supply for room heating are to be charged at the rate then applying for each year of past use. Interest charges will be levied on owners found to have been using gas for heating without paying for the supply.

7) Directly based on then-Chairperson Bruce Copland personal letter to BCS Strata Management on 21 January 2015 at 09:38 hours (we have copy of his correspondence), this meeting also summarised that Lot 158 submissions of mismanagement must be ignored (!?):

The committee standby the AGM instructions that correspondence from Mr Baljevic can be ignored where it is not relevant to the proper management of the Owners Corporation. We should note at the next committee meeting all the emails he has sent since the AGM simply

2

CM-1-

to record that the matters raised are either spurious or related to his fast failed claims and appeals. Other Owners deserve to know how vexatious he has become via the next EC minutes.

Regards

Bruce Copland

8) As of today, Waratah Strata Management still refuses to provide owners with Mr. Stan Pogorelsky's admissions of unpaid gas heating levies. He contradicted his own calculations in 2015 (sent to then-Chairperson Bruce Copland and BCS Strata Management) and 2025.

His debt for unpaid gas heating levies is much larger than expected (figure for his outstanding levies was calculated in April 2025 as \$13,091.39 but after obtaining Mr. Pogorelsky's signed statement to NCAT on 22 July 2025, losses to owners corporation became much larger).

Regards,

Stan Pogorelsky
Gas Charges paid by S & T Pogorelsky on unit 181 - SP52948
From 1999 to 2018

Date Paid	Period applicable	\$
1999	1/9/99 to 31/8/2000	Moved in 1/11/98
2000	23/08/2000	1/9/2000 to 31/8/01 100.00
2001	1/08/2001	1/9/01 to 31/8/02 50.00
2002	21/07/2002	1/9/02 to 31/8/03 55.00 \$50+\$SGST
2003	31/07/2003	1/9/03 to 31/8/04 55.00
2004	1/11/2004	1/9/04 to 31/8/05 55.00
2005	1/11/2005	1/9/05 to 31/8/06 55.00
2006	1/11/2006	1/9/06 to 31/8/07 55.00
2007	1/11/2007	1/9/07 to 31/8/08 55.00
2008	1/11/2008	1/9/08 to 31/8/09 55.00
2009	26/10/2009	1/9/09 to 31/8/10 55.00
2010	24/10/2010	1/9/10 to 31/8/11 55.00 \$55 Credit on 1/2/11 and Debit \$55 on 2/5/11
2011	7/11/2011	1/9/11 to 31/8/12 55.00
2012		1/9/12 to 31/8/13 Not billed by BCS
2013		1/9/13 to 31/8/14 Not billed by BCS
2014	1/08/2014	1/9/14 to 31/8/15 55.00
2015	1/09/2015	1/9/15 to 31/10/15 311.66 See below From our AGM in November 2014 new rate is \$50+\$5 per quarter and should be billed quarterly on BCS statement to unit holders
2016	3/11/2015	1/11/15 to 31/1/16 55.00
	1/02/2016	1/2/16 to 30/04/16 55.00
	2/05/2016	1/5/16 to 31/7/16 55.00
	1/08/2016	1/8/16 to 31/8/16 18.34
	20/09/2016	1/9/16 to 31/10/16 36.66 Overpaid In summary I owe you \$110.00 for 2012 and 2013. And \$18.33 x 2 = \$36.66 for Sept & Oct 2014
2017	1/05/2017	1/9/16 to 31/8/17 220.00 Billed by Waratah

As well you should have billed me for gas usage in
Quarter 1/11/14 to 31/01/15 55.00
Quarter 1/02/15 to 30/04/15 55.00
Quarter 1/05/15 to 31/07/15 55.00
Quarter 1/08/15 to 31/10/15 55.00
220.00
Less what you charged for 2014 55.00 Paid by me
165.00

So I owe you \$110 + \$36.66 + \$165 = \$311.66 which will take me up to Quarter ended 31/10/15. Paid on 29/6/15

Please invoice (email to me) me for these charges so that this matter can be put to rest.

SP52948-Stan-Pogorelsky-self-assessment-for-gas-levy-payments-sent-to-NCAT-17Mar2025.png

Period From	Period To	Date Due (Invoiced)	Amount Owning	Short Paid	Period	Date Paid	Amount Paid	Days overdue	Total Interest	Notice Details
01-09-99	31-08-01	23-08-00	\$100.00		Per Annum	23-08-00	\$100.00	0	\$0.00	
01-09-01	31-08-02	01-08-01	\$50.00		Per Annum	01-08-01	\$50.00	0	\$0.00	
01-09-02	31-08-03	21-07-02	\$55.00		Per Annum	21-07-02	\$55.00	0	\$0.00	
01-09-03	31-08-04	31-07-03	\$55.00		Per Annum	31-07-03	\$55.00	0	\$0.00	
01-09-04	31-08-05	01-11-04	\$55.00		Per Annum	01-11-04	\$55.00	0	\$0.00	
01-09-05	31-08-06	01-11-05	\$55.00		Per Annum	01-11-05	\$55.00	0	\$0.00	
01-09-06	31-08-07	01-11-06	\$55.00		Per Annum	01-11-06	\$55.00	0	\$0.00	
01-09-07	31-08-08	01-11-07	\$55.00		Per Annum	01-11-07	\$55.00	0	\$0.00	
01-09-08	31-08-09	01-11-08	\$55.00		Per Annum	01-11-08	\$55.00	0	\$0.00	
01-09-09	31-08-10	26-10-09	\$55.00		Per Annum	26-10-09	\$55.00	0	\$0.00	
01-09-10	31-08-11	24-10-10	\$55.00		Per Annum	24-10-10	\$55.00	0	\$0.00	
01-09-11	31-08-12	07-11-11	\$55.00		Per Annum	07-11-11	\$55.00	0	\$0.00	
01-09-12	31-08-13	01-08-14	\$55.00		Per Annum	01-08-14	\$55.00	0	\$0.00	Issued 3/7/14 showing period 1/9/14 - 31/8/15
01-09-13	31-11-13	29-06-15	\$55.00		Per Quarter	29-06-15		0	\$0.00	Issued 17/7/15 - Due 1/8/15 - Paid 29/6/15
01-12-13	28-02-14	29-06-15	\$55.00		Per Quarter	29-06-15		0	\$0.00	Issued 17/7/15 - Due 1/8/15 - Paid 29/6/15
01-03-14	31-05-14	29-06-15	\$55.00		Per Quarter	29-06-15		0	\$0.00	Issued 17/7/15 - Due 1/8/15 - Paid 29/6/15
01-06-14	31-08-14	29-06-15	\$55.00		Per Quarter	29-06-15		0	\$0.00	Issued 17/7/15 - Due 1/8/15 - Paid 29/6/15
01-09-14	30-11-14	29-06-15	\$55.00		Per Quarter	29-06-15		0	\$0.00	Issued 17/7/15 - Due 1/8/15 - Paid 29/6/15
01-12-14	28-02-15	29-06-15	\$55.00		Per Quarter	29-06-15	\$311.66	0	\$0.00	Issued 17/7/15 - Gas usage up to 31/10/15
		29-06-15				01-08-16	\$18.34	399	\$2.00	Part Paid Late
01-03-15	31-05-15	03-11-15	\$55.00		Per Quarter	03-11-15	\$55.00	0	\$0.00	Issued 25/9/15 - Due 1/11/15 - Paid 3/11/15
01-06-15	31-08-15	01-02-16	\$55.00		Per Quarter	01-02-16	\$55.00	0	\$0.00	Issued 30/12/15 - Due 1/2/16 - Paid 1/2/16
01-09-15	30-11-15	02-05-16	\$55.00		Per Quarter	02-05-16	\$55.00	0	\$0.00	Issued 24/3/16 - Due 1/5/16 - Paid 2/5/16
01-12-15	28-02-16	01-08-16	\$55.00	\$55.00	Per Quarter	30-08-19		1124	\$16.94	Shortpaid - Assume to be paid on 30/8/19
01-03-16	31-05-16	20-09-16	\$55.00		Per Quarter	20-09-16	\$36.66	0	\$0.00	
		20-09-16		\$18.34		30-08-19		1074	\$5.40	Shortpaid - Assume to be paid on 30/8/19
01-06-16	31-08-16	01-05-17	\$55.00	\$55.00	Per Quarter	30-08-19		851	\$12.82	Not Paid - Assume to be paid on 30/8/19
01-09-16	31-08-17	01-05-17	\$220.00		Per Annum	01-05-17	\$220.00	0	\$0.00	
01-09-17	31-08-18	11-05-18	\$220.00		Per Annum	11-05-18	\$220.00	0	\$0.00	
01-09-18	31-08-19	01-05-19	\$220.00		Per Annum	01-05-19	\$220.00	0	\$0.00	
			\$2,075.00	\$128.34			\$1,946.66	Shortpaid	\$128.34	
								Interest	\$7.86	
								Total	\$136.20	Paid 8/10/19
01-09-19	31-08-20	27-03-20	\$220.00		Per Annum	01-05-20	\$220.00			
01-09-20	31-08-21	18&19/03/21	\$270.00		Per Annum	03-05-21	\$270.00			
01-09-21	31-08-22	29-03-22	\$270.00		Per Annum	02-05-22	\$270.00			
01-09-22	31-08-23		\$270.00		Per Annum	01-05-23	\$270.00			
01-09-23	31-08-24		\$270.00		Per Annum	01-05-24	\$270.00			
			\$1,300.00				\$1,300.00			

Notes:

02-08-00 EC Meeting set charge at \$50.00 per annum. From 2002 increased to \$50 + GST per annum (Copy Attached)
07-08-00 R&H issue invoices 1/9/99 - 31/8/01 \$100 for 2 years
17-10-12 AGM approved By-Law. No mention of amount.
27-11-13 EC Meeting confirmed charge at \$50.00 + GST per quarter.
14-04-14 R&H issue letter confirming \$220 p.a. incl GST.
16-03-17 EC Meeting set charge at \$200 + GST per annum from 1/9/17.
EC Meeting set charge at \$270 + GST per annum from 1/9/20.

Attachments:

NCAT-2024-00454780-non-compliant-meeting-4Mar2015.pdf

1.2 MB

SP52948-Lot-181-gas-levy-payments-self-assessment-miscalculated-10Jun2015.png	826 KB
SP52948-Stan-Pogorelsky-self-assessment-for-gas-levy-payments-sent-to-NCAT-17Mar2025.png	711 KB
SP52948-Stan-Pogorelsky-efforts-to-avoid-paying-gas-heating-levies-Apr2025.pdf	173 KB
CTTT-SCS-12-32675-six-people-issue-summons-26Apr2013.pdf	3.8 MB
NCAT-2024-00454780-non-compliant-meeting-in-Stan-Pogorelsky-Unit-181-9Jul2012.pdf	712 KB
SP52948-Stan-Pogorelsky-secretly-allowed-Waratah-Strata-Management-pricing-to-be-disclosed-to-BCS-Strata-Management-4Oct2016.pdf	5.1 MB