

Subject: SUMMARY Owners prevented from having information about three NCAT 2024/00454780 Orders since 20 February 2025 as of 7Mar2025

From: SP52948 Lot 158 owner

Date: 7/3/25, 12:41

To: Nicolas Cozic

CC: Robert Crosbie, Heath Crosbie, Alex Tomasko, Robert Odenthal

CC: Jeffery Wang, Genelle Godbee, Stan Pogorelsky, Andrew Ip, Ramesh Kamini, Kathryn Cutler, Carlos Fornieles Montoya, Basi Gionea, Uniqueco Property Services

Good afternoon,

13 more days before you have to provide all evidence in NCAT case, including statutory declarations, affidavits, and printed documents.

Events for February and March 2025 (not even looking at previous breaches of strata and other laws): thee Orders by the Tribunal have not been published on notice boards or sent to owners. Good example of democracy that Mr. Robert Crosbie emphasised several times in the post.

- Directions Hearing Order dated 20 February 2025.
- Hearing Notice dated 22 April 2025.
- Issue of Summonses for Mr. Stan Pogorelsky, Lot 181.

Strata managers and committee members ignored requirements SSMA 2015 introduced on 1 July 2021, in spite of Lot 158 warning them about it as early as 3 February 2022. Almost three years after the concerns were presented in Lot 158 email, strata manager and committee members deliberately repeated the same non-compliance action:

<https://ncat.nsw.gov.au/publications-and-resources/news-and-announcements/news/2021/changes-to-strata-laws.html>

Extract from Lot 158 email:

On 1 July 2021 new provisions in the Strata Schemes Management Act 2015 will commence. The provisions will:

- require an owners corporation to serve all lot owners with a copy of any application made to NCAT concerning their scheme,

1) Before Directions Hearing on 20 February 2025, Lot 158 requested that Bannermans Lawyers produce evidence of the following to the Tribunal and Lot 158 and they failed to do it:

- Unredacted electronic copy of all email correspondence between SP52948 representatives and Bannermans Lawyers since 10 December 2024.
- Unredacted electronic copy of email(s) that provided Bannermans Lawyers with signed version of their Standard Costs Agreement before attending Directions Hearing on 15 January 2025.
- Unredacted electronic copy of email(s) that provided Bannermans Lawyers with minutes of committee meeting on 6 January 2025 before attending Directions Hearing on 15 January 2025.
- Unredacted electronic copy of email(s) that provided Bannermans Lawyers with signed version of their Standard Costs Agreement before attending Directions Hearing on 20 February 2025.
- Unredacted evidence that all owners were sent the full agenda for committee meeting (via email and Australia Post) in a timely manner before scheduled meeting on 6 January 2025.
- Unredacted evidence that all owners were sent the full agenda for committee meeting (via email and Australia Post) in a timely manner before scheduled meeting on 6 February 2025.
- Proof that agenda and minutes for meetings on 6 January 2025 and 6 February 2025 were published on Waratah Strata Management website before, on, and after the meetings.
- Proof that minutes for meeting on 6 February 2025 were published on six notice boards before or on 20 February 2025.
- Proof that you engaged express courier to deliver printed files to Lot 158 before, on, or after 12 February 2025, as per Directions Hearing Orders you received on 15 January 2025. The evidence must include proof of express courier payment, delivery to signature of the person who received your documents, date when these events happened, and evidence what Waratah Strata Management and committee members did when they received Lot 158 about missing documents on 14 and 19 February 2025.

2) NCAT Orders on 20 February 2025 make significant requirements for any party representing SP52948, making it obligatory to attend in person and be forced to respond to cross-examination:

4 On or before 20 March 2025 the respondent shall send, to the applicant and the Tribunal, a copy of all documents on which the applicant intends to rely at the hearing.

5 Any documents so provided are to be in HARD COPY form, with the PAGES NUMBERED, and an INDEX to facilitate reference to them during the hearing.

6 Any evidence from a witness is to be in the form of a signed witness statement, statutory declaration, or affidavit and each such witness is to be available for cross-examination at the hearing.

3) News from the Police this week was that Waratah Strata Management and Solicitor Adrian Mueller refused to properly co-operate with them. Police was already updated on

latest events and plans of actions and what they can or should do now. The same will be done with the Insurance company and broker today.

4) Negative balance (deficit) in Admin Fund this morning is -\$74,122.30. This month, insurance renewal for second-half of the year is due on 21 March 2025 (expected cost of at least \$120,000.00), and monthly salary for Uniqueco Property Services in amount of around \$38,000.00. Plus other expenses like emergency and exist lights repairs.

And we are not even touching on major fire safety orders that SP52948 has not complied with since 2019.

5) Lot 79 entered its fifth month of major renovations with more noise and pollution in elevators, which were approved AFTER they had started work without Special Resolution at a general meeting and Special By-Law registration, and the copy of updated Consolidated By-Laws has not been sent or published for any owner or tenant.

Bannermans Lawyers failed to respond to blatant forgery by Lot 79 three times.

The last time Consolidated By-Laws were published on strata manager's website on 11 November 2022.

6) And why we continue with breaches of By-Laws, what about Lot 149. It is starting major renovations without Special Resolution at a general meeting and Special By-Law registration. The alleged work will last six weeks.

Regards,

MAXIMUM LOAD 1156 kg  
17 PERSONS

**A BLOCK RESIDENTS  
PLEASE NOTE:**

**UNIT 149 WILL  
RENOVATING THEIR  
KITCHEN, BATHROOM &  
LAUNDRY FROM**

**TUESDAY, 11<sup>TH</sup>  
MARCH 2025 FOR  
APPROX. 6 WEEKS**

**THERE WILL BE JACK HAMMERING ON  
& OFF FROM TUESDAY 11<sup>TH</sup> TO FRIDAY  
14<sup>TH</sup> MARCH 2025**

*Apologies for any inconvenience or noise that may occur  
during this process.*

Regards, Steve Carbone, Caretaker/Building Manager

05/03/2025 14:31:24

MAXIMUM LOAD 1156 kg  
17 PERSONS

**C BLOCK RESIDENTS**

**PLEASE NOTE:**

**UNIT 79 WILL BE  
CONTINUING THEIR  
RENOVATIONS**

**WORK IS CURRENTLY  
ONGOING DUE TO  
MATERIAL DELAY  
ISSUES.**

*APOLOGIES FOR ANY INCONVIENCE DURING THIS  
PERIOD.*

Regards, Steve Carbone, Caretaker/Building Manager

05/03/2025 14:37:32

Attachments:

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SP52948-Directions-Hearing-Order-20Feb2025.pdf	139 KB
Summons issued to Stan Pogorelsky-7Mar2025.pdf	4.7 MB
Hearing-Notice-of-Listing-22Apr2025.pdf	62.2 KB
SP52948-Block-A-Lot-149-major-renovations-without-special-resolution-at-general-meeting-5Mar2025.webp	134 KB
SP52948-Block-C-Lot-79-illegal-renovations-5Mar2025.webp	114 KB
SP52948-waratahstrata-Document-folder-page-6-5Mar2025.pdf	92.7 KB