

Subject: Re: COMPLAINT: NCAT 2024/00454780-001 - SP52948 failed to comply with Tribunal Order dated 15 January 2025

From: SP52948 Lot 158 owner

Date: 19/2/25, 19:26

To: Nicolas Cozic, Alex Tomasko

CC: Heath Crosbie, Robert Crosbie, Robert Odenthal

CC: Jeffery Wang, Carlos Fornieles Montoya, Genelle Godbee, Stan Pogorelsky

Andrew Ip, Ramesh Kamini, Basil Gionea, Kathryn Cutler, Joe Spatola

God evening,

Just to summarise for tomorrow's Directions Hearing.

1) Alleged paper documents with SP52948 "defence" never arrived to Lot 158.

NCAT provided clear instructions on 18 February 2025:

It is in the interest of all parties to comply with procedural directions. A party to proceedings must comply with directions made by the Tribunal.

Failure to comply with a Tribunal direction may result in any material received after the specified date not being admitted into evidence.

Any outstanding issues relating to non-compliance with Tribunal directions should be raised at the next hearing.

2) As of this evening, none of six notice boards published minuets of alleged meeting dated 6 February 2025 (full video and photo evidence collected).

3) As of this evening, Waratah Strata website does not have copy of either agenda for the meeting dated 24 January 2024, or minutes dated 6 February 2025.

4) As of this evening, negative balance (deficit) in Admin Fund was -\$48,227.14.

5) As luck had it, committee member Ms. Genelle Godbee has problems with water leakages in kitchen this week.

Her Lot 142 already had lot of disasters, as some of the collected evidence shows (one ponders the question where she finds the courage to say that Waratah Strata Management and Uniqueco Property Services provide good services - same applied to their predecessors):

15/01/2018 U142 Install Shelf to Cover Hole in Wall	Macquarie Maintenance Services	\$1,265.00.00
04/12/2017 U142 Water Leak in Loungeroom	NCB Plumbing Pty Ltd	\$4,728.00.00
02/09/2019 U142 Ceiling Repair after Water Leak	W & M Gordon Property Management	\$227.27.00
22/06/2020 U142 Sliding Door	Complete Window Service Pty Ltd	\$340.00
06/07/2020 U142 Reinstall Shelving	Macquarie Maintenance Services	\$250.00
06/07/2020 Water Leak into U142	NCB Plumbing Pty Ltd	\$1,054.00
01/06/2020 U142 Repairs after Water Leak	W & M Gordon Property Management	\$381.82
06/05/2022 Block D CA Top Floor/U142 Ceiling Repairs	Macquarie Maintenance Services	\$330.00

It is worth noting that two and half roofs (whole Block A and C, and half of Block B) have not had proper full-scale membrane water isolation since 1996 (in spite of Napier & Blakeley's report in August 2012 which cost owners more than \$12,000.00).

Whole Block D and half of Block B membranes were replaced in 2015 with ONLY five-year warranty due to excessive neglect of common property and cost owners about \$180,000.00.

6) Repetitive repairs without warranties and poor quality are best shown through Lot 191 in attachment "SP52948-Lot-191-Examples-of-Repetitive-Water-Leak-Repairs-without-Permanent-Results-2011-Sep2018.pdf".

7) And what about Lot 190:

11/12/2017 U190 Balcony Ballustrade	Macquarie Maintenance Services	\$55.00
15/01/2018 U190 Ceiling Repairs	Macquarie Maintenance Services	\$462.00
25/03/2019 Block A U190 Balcony Door	Palmers Glass & Carpentry Pty Ltd	\$180.00

20/05/2019 U190 Front Door	Lock Stock & Barrel Locksmiths Pty Ltd	\$190.00
13/05/2019 U190 Intercom	FMT Services	\$360.00
01/04/2019 U190 Faulty Main Control Tap	NCB Plumbing Pty Ltd	\$285.00
01/12/2020 AH Block A U190 Window	Uniqueco Pty Ltd	\$340.00
01/12/2020 U190 Sliding Door	Lock Stock & Barrel Locksmiths Pty Ltd	\$245.00
07/12/2020 U190 Replace Storm Damaged Balcony Facade	Palmers Glass & Carpentry Pty Ltd	\$11,000.00
12/01/2021 U190 Install Safety Rail	W & M Gordon Property Management	\$280.00
12/01/2021 U190 Install Temporary Ballustrade	Macquarie Maintenance Services	\$290.00
12/01/2021 U190 Remove Temporary Ballustrade	Macquarie Maintenance Services	\$60.00
22/01/2021 U190 Sunroom Ceiling	Macquarie Maintenance Services	\$640.00

7) The issue of fire safety negligence is confirmed through still outstanding work orders, in non-compliance with City of Ryde Orders since 2019 and strict request by Insurance Company on 24 September 2024.

SP52948 is in dire state, with dysfunctional management.

It is strongly recommended that Mr. Stan Pogorelsky attends tomorrow's Directions Hearing.

Regards,

On 14/2/25 10:06, SP52948 owner wrote wrote:

FYI

NCAT was already notified and we will do the same for the insurance company and broker today.

Have a great weekend,

**D BLOCK RESIDENTS
PLEASE NOTE:**

**UNIT 142 HAS A WATER
LEAK FROM THE
KITCHEN CEILING.**

**ON WEDNESDAY,
19TH FEBRUARY 2025**

**THE HOT WATER WILL BE
TURNED OFF FROM
9:30AM FOR APPROX.
4-5 HOURS**

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

Regards, Steve Carbone, Caretaker/Building Manager

19/02/2025 16:55:27

Strata Plan 52948
Macquarie Gardens, 1-15 Fontenoy Road,
Macquarie Park NSW 2113

Date	Details	Payee	Group	Amount (GST exclusive)	Status	Type	Ref.No.	Payment No.
16/07/2018	Lock Stock & Barrel Locksmiths Pty Ltd	Direct charge		150.00	Paid	Oth		118
				<u>\$2,942.72</u>				
Administrative Fund								
	Maint Bldg--General Repairs 167200							
11/09/2017	U's122 134 Repair walls after Broken pipe	W & M Gordon Property Management		380.00	Paid	DE	59	000233
11/09/2017	Block D repairs after burst pipe	W & M Gordon Property Management		763.64	Paid	DE	58	000233
11/09/2017	Block B Brick Wall Near Exit Door on Roof	W & M Gordon Property Management		809.09	Paid	DE	57	000233
11/09/2017	U98 - Replace ducting	W & M Gordon Property Management		740.00	Paid	DE	64	000233
11/09/2017	Block A Waterproof Light Post	W & M Gordon Property Management		118.18	Paid	DE	53	000233
11/09/2017	Repair Garbage Bay Shute	W & M Gordon Property Management		100.00	Paid	DE	51	000233
27/11/2017	U55 Secure Duct Cover in Bathroom	Macquarie Maintenance Services		33.00	Paid	DE	298	000308
15/12/2017	U196 Pergola Repairs	W & M Gordon Property Management		350.00	Paid	DE	402988	000331
15/01/2018	U142 Install Shelf to Cover Hole in Wall	Macquarie Maintenance Services		1,265.00	Paid	DE	330	000336
05/03/2018	General Repairs	Macquarie Maintenance Services		539.00	Paid	DE	370	000384
03/04/2018	Block B Garbage Bay	W & M Gordon Property Management		140.00	Paid	DE	861502	000421
03/04/2018	Block A,B & C Repair Security Bollards	W & M Gordon Property Management		270.00	Paid	DE	861501	000421
16/04/2018	Repair/Paint Render on Garden Bed	Macquarie Maintenance Services		242.00	Paid	DE	388	000429
16/04/2018	Th198 Repair Carport Ceiling & Hang Sign	Macquarie Maintenance Services		330.00	Paid	DE	394	000429
15/05/2018	WM Gordon Property	Direct charge		3,433.64	Paid	Oth		39
04/06/2018	W & M Gordon Property Management	Direct charge		300.00	Paid	Oth		61
16/07/2018	W & M Gordon Property Management	Direct charge		200.00	Paid	Oth		124
30/07/2018	Macquarie Maintenance	Direct charge		620.00	Paid	Oth		92
				<u>\$10,633.55</u>				
	Maint Bldg--Glass 167600							
12/03/2018	Th74 Repair Sliding Door	Palmer's Glass & Carpentry Pty Ltd		320.00	Paid	DE	00061319	000395
				<u>\$320.00</u>				
	Maint Bldg--Gym Equipment 168000							
06/11/2017	Preventative Maintenance	Tuned To Perfection Pty Ltd		415.00	Paid	DE	9566	000295
15/01/2018	Treadmill Repair	Tuned To Perfection Pty Ltd		130.00	Paid	DE	9697	000339

—Attachments:—

SP52948-effects-of-Waratah-Strata-Management-on-Balance-Sheet-since-31Jan2017.pdf	73.7 KB
Sp52948-Select-Carpentry-Lot-142-146-water-damage-20Nov2014-BCS9440129.pdf	16.4 KB
BCS14451315-Howard-West-Lot-142-ceiling-repairs-leaking-4Jan2016.pdf	55.8 KB
SP52948-Block-D-Lot-142-ceiling-leak-in-kitchen-19Feb2025.webp	116 KB
SP52948-Lot-142-install-shelf-to-cover-hole-in-wall-15Jan2018.webp	3.2 MB
SP52948-waratahstrata-Maintenance-Open-Work-Orders-folder-19Feb2025.pdf	82.3 KB
SP52948-Lot-191-Examples-of-Repetitive-Water-Leak-Repairs-without-Permanent-Results-2011-Sep2018.pdf	6.2 KB