

STATEMENT PURSUANT TO SECTION 41 OF THE STRATA TITLES ACT 1988

Date of Statement: **8 December 2021**

Unit in respect of which the Statement is issued:
Unit 3 in Units Plan No. 5465 at 85 Reid Avenue, HECTORVILLE SA 5073

Unit entitlement: 31
 Strata entitlement: 188
 Water Payment Method: Owners pay common water usage charges

Unit owner: **Mr Ross Peppicelli**

Person requesting certificate:
Name: Breton Ward Real Estate
Address: PO Box 3150, NORWOOD SA 5067

The Strata corporation certifies the following with respect to the Unit being the subject of this Statement:

1. Administrative fund – contributions payable by regular periodic instalments or lump sum

Total amount last determined with respect to the lot			
Amount	Period		
\$1,063.65	01 Jan 2021 to 31 Dec 2021		
Number of instalments payable (if contributions payable by instalments)			3
Amount of each instalment, period to which instalment relates and date due			
Amount	Period		Date due
[Outstanding] \$354.55	01 Apr 2021 to 30 Jun 2021		01 Apr 2021
[Outstanding] \$354.55	01 Jul 2021 to 30 Sep 2021		01 Jul 2021
[Outstanding] \$354.55	01 Oct 2021 to 31 Dec 2021		01 Oct 2021
\$354.55	01 Jan 2022 to 30 Mar 2022		01 Jan 2022
Amount owing **Please Refer to attached Owner statement			\$1,063.65
Interest due on unpaid levies			\$143.45
Amount in credit for prepaid levies			\$0.00

2. Sinking fund – contributions payable by regular periodic instalments or lump sum (section 76(1) of the Act)

Total amount last determined with respect to the lot			
Amount	Period		
\$0.00	01 Jan 2021 to 31 Dec 2021		
Number of instalments payable (if contributions payable by instalments)			3
Amount of each instalment, period to which instalment relates and date due			
Amount	Period		Date due
\$0.00	01 Apr 2021 to 30 Jun 2021		01 Apr 2021
\$0.00	01 Jul 2021 to 30 Sep 2021		01 Jul 2021
\$0.00	01 Oct 2021 to 31 Dec 2021		01 Oct 2021
Amount owing			\$0.00
Interest due on unpaid levies			\$0.00
Amount in credit for prepaid levies			\$0.00

3. Special contributions

Date due	Details	Determined	Amount due	Amount paid	Interest accrued*	Interest paid	Amount outstanding
14/12/2020	Opening balance arrears		1,800.75	NIL	NIL	NIL	1,800.75
10/02/2021	Insurance Premium	22/01/2021	289.40	NIL	36.16	NIL	325.56
21/10/2021	Legal Fees court filing		211.90				211.90
22/12/2021	Legal fees to date associated with arrears		116.46				116.46
*Interest to 08/12/2021			2,090.15	NIL	36.16	NIL	2,454.67

4. Particulars of Assets and Liabilities of the Corporation

A copy of the Balance Sheet at the date of this Statement is attached.

5. Particulars of any Expenditure

(a) Incurred by the Corporation
See attached last two years AGM Minutes.

(b) Resolved to be incurred to which the unit holder must, or is likely to be required to, contribute

*****PLEASE NOTE This property is in the hands of Lynch Myer Lawyers debt collectors and currently in arrears of \$3,545.31 with \$116.46 due 22/12/2021 we MUST be contacted prior to settlement to ensure that all debt recovery fees are finalised. If any balance remains unpaid and outstanding the debt remains with the property and will be passed onto the new owner.**

6. Insurance policies

Particulars of all insurance policies taken out by the strata corporation.

Strata Community Insurance
Policy No. SRSC21000358
Type: Building

Premium: \$1,836.67
Next due: 28/08/2022

Cover	Sum insured	Excess
Building	\$1,406,080.00	\$300.00
Public Liability	\$30,000,000.00	\$0.00
Voluntary Cover	\$200,000.00	\$0.00
Fidelity Guarantee	\$50,000.00	\$0.00

7. Documents Supplied

- (i) Minutes of general meetings of the corporation and meetings of the management committee for the last two years
- (ii) Statement of Accounts of the corporation last prepared by the corporation
- (iii) The Articles for the time being in force
- (iv) The current policies of insurance taken out by the corporation

The information provided is accurate as at the date of this Statement and is not intended to be relied upon by any party other than the person who requested this Statement under Section 41 of the Act.

NOTE:

Information provided in this document is valid for 30 days only. After that time, updates will be required by written request.

Please Note : Conveyancer's attention is drawn to the following :

The Strata Titles Act requires that :

1.1 (schedule 3 pt 12) "A unit holder must immediately notify the Strata Corporation of :

- (a) any change in the ownership of the unit, or change in the address of the owner
- (b) any change in the occupancy of the unit (eg. Tenants) i.e. let us know ASAP the new owners name and address on the attached form.

1.2 (Section 27(5)) "The Corporation may recover an unpaid contribution (and any interest on any such contribution) such as debt from the unit holder of the unit in respect of which the contribution is payable(whether or not that person was the unit holder when the liability arose)" i.e. : The new owner will have to pay any outstandings if you do not adjust them at settlement.

1.3 This statement is issued on the basis that any payment by the unit holder by cheque or other instrument will be honoured at the first presentation. i.e. : if the cheque bounces, the owner's financial details will be wrong

An inspection of the accounting records, minute books of the corporation and any other prescribed documentary material may be arranged by application to the Agent at the address listed below:

This Statement was prepared on behalf of Strata Corporation 5465 Inc by


.....(signature)

Jason Voigt
Horner Management
232 South Road
MILE END SA 5031

Income & Expenditure Statement for the financial year to 08/12/2021

Strata Corporation 5465 Inc

85 Reid Avenue, HECTORVILLE SA 5073

Administrative Fund

Current period

01/01/2021-08/12/2021

Revenue

Levies Due--Admin	6,450.60
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<i>Total revenue</i>	6,450.60
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Less expenses

Admin--Document Input Fee	110.00
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Admin--Information & Communication	206.25
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Admin--Legal & Debt Collection Fees	116.46
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Admin--Management Fees--Standard	1,013.87
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Admin--Meeting Fee	165.00
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Admin--Public Officers Admin Fee	132.00
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Insurance Claims - Property Damage	438.00
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Insurance--Premiums	2,921.61
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Maint Bldg--General Repairs	352.00
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Maint Bldg--Plumbing & Drainage	264.00
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Maint Grounds--Fencing	3,659.50
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Maint Grounds--Grounds Maintenance	264.00
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Sundry--Reimbursement To Owner	1,160.00
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Trades Compliance--Annual Fee	90.20
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<i>Total expenses</i>	10,892.89
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Surplus/Deficit

(4,442.29)

Opening balance	6,912.25
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Closing balance

\$2,469.96

Sinking Fund

Current period

01/01/2021-08/12/2021

Revenue

Interest on Arrears--Sinking 7.25

Levies Due (Special)--Sinking 1,456.35

Total revenue 1,463.60

Less expenses

Total expenses 0.00

Surplus/Deficit 1,463.60

Opening balance 0.00

Closing balance \$1,463.60

Approved Budget to apply from 01/01/2021

Strata Corporation 5465 Inc

85 Reid Avenue, HECTORVILLE SA 5073

Administrative Fund

Approved
budget

Revenue

Levies Due--Admin	8,600.00
Total revenue	8,600.00

Less expenses

Admin--Audit & Accountancy	144.00
Admin--Information & Communication	225.00
Admin--Management Fees--Standard	1,106.00
Admin--Meeting Fee	165.00
Admin--Public Officers Admin Fee	132.00
Insurance--Premiums	3,000.00
Insurance--Valuation	300.00
Maint Bldg--Electrical	400.00
Maint Bldg--General Repairs	1,000.00
Maint Bldg--Plumbing & Drainage	1,000.00
Maint Grounds--Grounds Maintenance	500.00
Trades Compliance--Annual Fee	90.00
Total expenses	8,062.00

Surplus/Deficit	538.00
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Opening balance	6,912.25
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Closing balance	\$7,450.25
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Total units of entitlement	188
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Levy contribution per unit entitlement	\$45.74
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CERTIFICATE OF CURRENCY

THE INSURED

POLICY NUMBER	SRSC21000358
PDS AND POLICY WORDING	Residential Strata PDS & Policy Wording SCI034-Policy-RS-PPW-02/2021
THE INSURED	Strata Corporation No. 5465 Inc.
SITUATION	85 Reid Avenue Hectorville SA 5073
PERIOD OF INSURANCE	Commencement Date: 4.00pm on 28/08/21 Expiry Date: 4.00pm on 28/08/22
INTERMEDIARY	Horner Management Pty Ltd
ADDRESS	232 South Road Mile End SA 5031
DATE OF ISSUE	9 July 2021

POLICY LIMITS / SUMS INSURED

SECTION 1	PART A	1. Building Common Area Contents	\$1,406,080 \$14,061
		2. Terrorism Cover under Section 1 Part A2	Applies
	PART B	Loss of Rent/Temporary Accommodation	\$210,912
	OPTIONAL COVERS	1. Flood 2. Floating Floors	Included Included
SECTION 2	Liability		\$30,000,000
SECTION 3	Voluntary Workers		\$200,000/\$2,000
SECTION 5	Fidelity Guarantee		\$50,000
SECTION 9	PART A - Government Audit Costs - Professional Fees		\$25,000
	PART B - Appeal Expenses		\$100,000
	PART C - Legal Defence Expenses		\$50,000
SECTION 10	Lot Owners' Fixtures and Improvements		\$300,000

This certificate of currency has been issued by Strata Community Insurance Agencies Pty Ltd, ABN 72 165 914 009, AFSL 457787 on behalf of the insurer Allianz Australia Insurance Limited, ABN 15 000 122 850, AFSL 234708 and confirms that on the Date of Issue a policy existed for the Period of Insurance and sums insured shown herein. The Policy may be subsequently altered or cancelled in accordance with its terms after the Date of Issue of this notice without further notice to the holder of this notice. It is issued as a matter of information only and does not confer any rights on the holder or any noted interested parties. This certificate does not amend, extend, replace, negate or override the benefits, terms, conditions and exclusions as described in the Schedule documents together with the Product Disclosure Statement and insurance policy wording.

Balance Sheet

As at 08/12/2021

Strata Corporation 5465 Inc

85 Reid Avenue, HECTORVILLE SA 5073

	Current period
Owners' funds	
Administrative Fund	
Operating Surplus/Deficit--Admin	(4,442.29)
Owners Equity--Admin	6,912.25
	2,469.96
Sinking Fund	
Operating Surplus/Deficit--Sinking	1,463.60
	1,463.60
Net owners' funds	\$3,933.56
Represented by:	
Assets	
Administrative Fund	
Cash at Bank--Admin	37.21
Receivable--Levies (Special)--Admin	1,800.75
Receivable--Levies--Admin	1,063.65
Receivable--Owners--Admin	288.90
	3,190.51
Sinking Fund	
Cash at Bank--Sinking	1,174.20
Receivable--Levies (Special)--Sinking	289.40
	1,463.60
Unallocated Money	0.00
Total assets	4,654.11
Less liabilities	
Administrative Fund	
Prepaid Levies--Admin	720.55
	720.55
Sinking Fund	0.00
Unallocated Money	0.00
Total liabilities	720.55
Net assets	\$3,933.56

Strata Corporation No. 5465 Incorporated

85 Reid Avenue, Hectorville

Minutes of the Annual General Meeting of the Corporation
held at the offices of Horner Management 232 South Road Mile End SA 5031
on Tuesday the 2nd of March 2021 at 6:00pm

PROCEEDINGS

PRESENT: Mr J Baldwin for Port Road Investments Pty Ltd Unit 1
Ms J Black Unit 2

GUEST: Jason Voigt representing Horner Management Pty Ltd

CHAIR:

The Representative of Horner Management may only chair the meeting if a majority of Members present and represented vote in favour of this. Horner Management have no right to vote except where exercising a specific proxy for a Member. The Manager offered to assist the Presiding Officer (and / or Members present) in the conduct of the meeting and act as the Secretary in the recording the minutes. It was agreed by all present and represented that Ms J Black from Unit 2 chair the meeting and the Manager record the minutes.

QUORUM:

Those present were advised that a quorum was present by attendance or proxies. The meeting was declared open.

MINUTES:

As the previous meeting was held by prior Management the Manager did not review this, however Members confirmed receipt of the minutes from the prior Managers. Agreed by all present. Carried.

BUSINESS ARISING FROM PREVIOUS MINUTES:

As the previous meeting was held by prior to the appointment of Horner Management the Manager only reviewed items requested by the Treasurer and Secretary as documented below.

The Corporation will reimburse Ms J Black of Unit the following sums.

- \$572 for cover of make safe and repairs to Unit 3 front door and window and the \$160 RAA insurance payment for January. Ms J Black's insurance premium payment for February 2021 of \$289.40 has been deducted from this amount and the Corporation will only owe Ms J Black \$438.00.
- \$2,634.50 to cover loan to Strata for Unit 1 fence replacement. Ms J Black advised she would like her portion of the fence replacement removed from this total. So, the Corporation will only owe Ms J Black \$2,195.50.
- \$5,401 which has been loaned to the Strata to cover the non-payment by Owners of Units 3, 4 & 5 is to be collected through debt collection from Owners. The Manager notes that Ms J Black has agreed to have this amount credited to the following years levies. However, Owners of Units 3, 4 & 5 will still be required to pay their portion (\$1,800.33 each) to reimburse the Strata. This will continue in the process of debt collection.
- Ms J Black advised she did not collect Management fees for the last 12 months of \$160 and is happy to have this reimbursed at a later date.

All other items from the last meeting were mentioned by not discussed at length. The Manager advised that the maintenance items, financials and proposed budget items will be discussed through the meeting.

All present agreed to the above statements and items noted.

FINANCIAL STATEMENT:

As the Manager only recently took management of the group, there are no financial records available for the Corporation from Horner Management. Horner Management will keep comprehensive Financial Statements and provide annual reports to all members. The groups closing financial period is the 31st of December 2021, however an adhoc Financial Statement was provided up until the collection of the books which takes into consideration Owners in arrears as Horner Managements financial statements are based on an accrual system.

The Manager collected a cheque from previous management totalling \$1,010. Agreed by all present.

APPOINTMENT OF MANAGERS:

It was agreed unanimously by all Owners present and represented to appoint Horner Management Pty Ltd, and/or their nominee, to assist the Corporation by undertaking all those functions, powers and duties as contained in the Strata Titles Act 1988 at an annual primary remuneration of **\$1,106.00** inclusive of 10% GST. The appointment of Horner Management includes appointment of Carrie McInerney to act as Public Officer for taxation purposes.

The full details of the services and costs for Management are outlined in the contract (Management Agreement). An explanatory pamphlet is provided with the Management Agreement. This information is available on the owner's portal, upon request, and has been sent to your Presiding Officer for review.

ELECTION OF OFFICE BEARERS: [Section 23]

The following appointments were made in accordance with Section 23(1) of the Strata Title Act.

Presiding Officer:	Mr J Baldwin	Unit 1
Treasurer	Ms J Black	Unit 2
Secretary	Ms J Black	Unit 2 All agreed.

MANAGEMENT COMMITTEE: [Section 35]

In accordance with Section 35 of the Strata Titles Act, a Management Committee would be appointed to assist the Corporation to carry out the business of the Strata Corporation. A Management Committee do not have the power to do anything for which a special or unanimous resolution of the Strata Corporation is required by this Act or the articles of the Corporation. (Section 35(3)).

It was agreed that the Management Committee would consist of the abovementioned office bearers. Further to this, it was agreed by all present that the Management Committee has approval for maintenance items up to the value of \$1,000. These approvals are subject to be resolved at a properly convened Management Committee meeting.

INSURANCE:

Section 30 of the Act imposes a duty on the Corporation to ensure all building and building improvements for their full replacement value, including all costs incidental to and associated with the replacement. The Corporation is further required to keep itself insured against liability for negligence; at this date \$10,000,000 and against any other liabilities [e.g., flood] determined by a special resolution of the Corporation.

The Corporation Legal Liability applies primarily to Common Property, and that Landlords should be separately insured for cover in relation to their lots and yard subsidiaries.

The Corporation's current policy details are as follows:

Underwriter:	Strata Community Insurance
Renewal date:	28/08/2021
Building cover:	\$1,406,080
Legal liability:	\$20 million
Fidelity Guarantee:	\$50,000
Excess:	\$300

Insurance Valuation: The Manager advised that there is no valuation on file. The Manager noted the Corporation must be covered for the full replacement value of the property. The Manager advised that the Corporation is covered for what RAA has placed cover at previously. Ms J Black enquired as to why the Manager had not taken cover from when the Corporation was insured with CHU Strata Insurance. Mr J Baldwin noted that the policy from CHU is a number of years old and not longer currently reflects the accurate cover provided. After discussion it was agreed to obtain a valuation prior to the next renewal. It was further agreed the Manager would source the cost to include Office Bearers cover to be sent to the Committee to make a decision prior to renewal; so, once a decision is made it will be added to the policy at renewal.

Insurance Decision: It was agreed by all present that Building cover of \$1,406,080 and Legal liability of \$20 Million be retained until a valuation is obtained prior to renewal in August. Carried.

It was agreed that Horner Management, on behalf of the Corporation members, may renew the Insurance Policy on an annual basis at a rate to be determined at each of the Annual General Meetings. All agreed. Carried.

Insurance Excess: There is a \$300.00 excess which is coverable by the Strata Corporation.

Insurance Disclaimer:

In the event of a claim not being fully met due to the building being underinsured as a result of the Body Corporate's decision to insure for a lesser amount than is required by legislation, i.e., full replacement value, Horner Management and or members of its staff will not be held professionally negligent.

Horner Management has previously clarified the services they provide in relation to Insurance. We obtain quotes for Insurance, place and renew insurance according to your instructions and notify the Insurer of claims. We are an authorised representative of CHU Underwriting Agencies and an agent for QBE Insurance.

We are also authorised distributors of Strata Unit Underwriters, Strata Community Insurance and Expert Strata Insurance. We provide general advice about insurance (not personal advice).

A copy of the Product Disclosure Statement and Financial Services Guide are available on the portal for review.

Commissions: Horner Management receives a commission of 20% for placing the Corporation's insurance. Horner Management Pty. Limited are authorised to place Insurance on behalf of the Corporation.

MAINTENANCE:

Pest inspection: Ms J Black advised that the annual pest inspection is due and should be carried out this year to avoid any issues; further noting that a couple of the Units were missed last time and it costs approximately \$90 per unit to carry this out. The Manager suggested that since the Corporation has had issues with funding and some Owners have not carried out the inspection in the previous years; that the annual pest inspections become an Owner responsibility moving forward. Mr J Baldwin advised that in Unit 1 he has had issues with spiders and has already engaged a contractor to attend to this. It was agreed by all present that the annual pest inspections will become an Owner responsibility to undertake moving forward. Carried.

Gutter Cleaning: The Manager enquired as to whether the Corporation would like to carry out gutter cleaning as a preventative maintenance item to avoid roof leaks. Ms J Black advised that she gets the Council to clean her gutters for a good rate each year already. After a brief discussion it was agreed that gutter cleaning becomes an Owner responsibility moving forward. All agreed. Carried.

Ground's maintenance: Owner's present acknowledged the current contractor should be kept as they know what work is being carried out. The Manager advised a change would not be done unless Owners requested this. It was agreed by all present to continue with the services of Affordable Lawn, Garden & Rubbish Removal. Carried.

PROPOSED BUDGET:

Budget Decision: The proposed Budget for 2021/2022, as circulated, was discussed. Previously the Corporation has only paid \$400 per unit, per annum for insurance and \$100 per unit per annum for grounds maintenance. The Manager advised that this sort of levy schedule will not be sufficient to cover expected costs throughout the year and will result in multiple special levies.

The Manager advised that the proposed budget is an estimate of what the Corporation would spend in the year and advised all Owners present that the proposed budget should be considered as this will also cover the costs for Horner Management for the next 12 months. Furthermore; the costs for the Corporations insurance which will need to be paid again in August.

After discussion, it was agreed by all present that the budget, as presented, be accepted with contributions to the Administration fund being increased to bring in \$8,600 per annum.

It was further agreed by all present that Ms J Black would not pay quarterly levies for the next 12 months due to the payment in advance; of \$5,401; originally discussed under business arising. Mr J Baldwin noted that if the Corporation has the available funds in the next 12 months, Ms J Black could request some of these monies back as the next 12 months' worth of levies will only use up approximately \$1,600 for the year. This is to be reviewed again at the next Annual General Meeting.

Special Levy: Members may still be asked to pay special levies during the year to cover shortfall of funds for unbudgeted items or when Owners do not accept the budget presented by Horner Management. While your Corporation may raise enough funds to cover the yearly financials, a levy may be required to assist in situations where the Corporation has the majority of its expenses fall in the same period of each year.

Quarterly levies will commence on the 1st of April 2021, 1st July 2021, 1st October 2021 and 1st of January 2022.

INTEREST & DEBT RECOVERY CHARGES ON OVERDUE ACCOUNTS:

Following an overview of the procedures followed to collect overdue levies, the following unanimous resolution was put forward and it was resolved that the following policies and procedures be adopted:

1. Interest on Overdue Levies

The Corporation will charge owners interest on all levies outstanding for in excess of 14 days. The rate is set at 15% per annum calculated daily.

2. Accounting Fees

Any cost incurred by the Corporation including but not limited to Management Agreement charges are to be recovered from the relevant unit owner.

3. Debt Collection

That the Body Corporate Manager is authorised to proceed on behalf of the Corporation with any necessary action, to recover all outstanding monies.

4. Costs

All related costs associated with the recovery of any outstanding monies will be recovered from the relevant unit owner as debt against the unit.

Moved by Mr J Baldwin and seconded by Ms J Black. Carried.

ANY OTHER BUSINESS:

Mr J Baldwin and Ms J Black requested to change their future correspondence to email moving forward.

NEXT MEETING:

The next Annual General Meeting for the Corporation is scheduled to be held on a Tuesday the 1st of March 2021 commencing at 6:00pm in the offices of Horner Management.

CLOSURE: Unit Owners present were thanked for their attendance. The meeting closed at 6:37pm.

ADDITIONAL INFORMATION

CORRESPONDENCE:

Correspondence for the year is available on the online portal on our website. As per the Act, each member of the Corporation has the right to inspect all records held by the Manager on behalf of the Corporation. If you would like to inspect the records via the portal, you please visit our website, alternatively if you would like to inspect the records in person, please contact our office to arrange a time during office hours.

INTEREST, TAX AND AUDITS:

Legislation requires monies held in Trust Accounts. If the Corporation earns interest and as a result, an annual tax return is required. Interest is credited monthly on the balance held in funds by the Corporation, when placed in an investment account. Legislation also requires an Annual audit of the Trust Account by an accredited auditor. The audit for 2021 will be undertaken by D W Johns & Co. Limited, Chartered Accountants, a copy of the report is provided to all of our Corporation Secretaries on the Online Portal. If you would like a copy sent to you, please contact our office.

DUTIES OF THE APPOINTED BODY CORPORATE MANAGERS:

General: To provide so far as is reasonably necessary general advice and assistance to the Corporation and its officers and to assist them in the performance of their responsibilities under the Act.

Meetings: Arrange the General and Committee meetings, prepare and distribute notices, including notices of meetings. Attend General and Committee meetings if needed and assist the Presiding Officer in the conduct of meetings. Assist the Secretary in the preparation of minutes of meetings and distribute such minutes.

Maintenance: Advise upon and arrange for the maintenance, repair and replacement of the common property in accordance with the Corporation's instructions. Organise emergency maintenance works.

Insurance: Place & renew insurances in accordance with the Corporations instructions & have claims promptly processed.

Accounting: Collect, bank and account for maintenance contributions, levies, interest accruing or other amounts due to the Corporation. Send notices levying maintenance or other contributions and pay accounts and outgoings. Prepare annual statements of accounts of the Corporation and arrange an annual audit of the books as required.

Secretarial: Promptly deal with the Corporation correspondence and requests for Searches (section 41s). Ensure that all appropriate and proper records of the Corporation are maintained and keep secure and confidential all books, records, Certificates of Title, Strata Plans, Schedules and the like.

Public Officer: Act as the Corporation's Public Officer for the purpose of Tax Returns & other matters as required by statute.

The Management agreement is available on the owner line portal, and this document details the duties Horner management carry out for you.

OFFICE BEARERS:

At all times a strata corporation must have a presiding officer, a secretary and a treasurer who are appointed at the general meeting. These officers must be unit owners but one person may hold two or more of these positions. A strata manager can assist in running the affairs of the corporation.

Presiding Officer (the Corporation has appointed Horner Management to carry out the below duties)

- Primary contact between the Manager and the Committee;
- Attend meetings as required; and
- Chair all general meetings and committee meetings which they attend or, delegate this responsibility to the Corporation Manager.

Secretary

- The secretary of a strata corporation has the following functions:
- Prepare and distribute minutes of meetings of the corporation (currently delegated to Horner Management)
- Submit a motion for confirmation of the minutes of any meeting of the corporation at the next meeting of the corporation (currently delegated to Horner Management)
- Give the notices required to be given under the Act by the members of the corporation and the management committee (currently delegated to Horner Management)
- Answer communications addressed to the corporation (currently delegated to Horner Management)
- Convene meetings of the management Committee
- Deal with administrative and secretarial matters for the corporation and the management committee (currently delegated to Horner Management)

Treasurer

- Notify unit owners of any contributions to be raised from them in accordance with the Act (currently delegated to Horner Management)
- Receive, acknowledge, bank and account for any money paid to the corporation (currently delegated to Horner Management)
- Keep accounting records and prepare financial statements (currently delegated to Horner Management)

Please Note: Officers of the Corporation do not have the powers to: -

- Authorise any dealing with or any variation of the common property or to grant exclusive rights in respect of the enjoyment and use of any part thereof;
- Authorise any capital improvements to the common property;
- Authorise installations or additions to lots or common property. The functions of the Officers of the Corporation were by and large confined to authorising and overseeing the routine maintenance responsibilities of the Corporation, and ensuring that the provisions of the By-Laws were adhered to by both the Corporation and lot proprietors and occupiers.

INSURANCE:

Contents Insurance: Lot owners will need to arrange individually for adequate Insurance for the contents of their units inclusive of carpets, drapes, light fittings, etc., whether or not the unit is occupied by the unit holder or a tenant, as such items are not included in the Corporation's policy. The Strata Manager drew to the attention of the members the advantage of holding contents insurance with the same Company that holds the Corporations Policy.

Owners Liability Insurance: The Corporation's insurance policy only covers liability for common areas, owners will need to ensure that their policy covers liability for inside their unit, as well as their yard subsidiaries.

Landlords Insurance: In the past Horner Management have emphasized the importance of Landlords Insurance Protection covering carpets, curtains and light fittings as there have been some claims of late, in other Strata Complexes, which have been borne personally by owners as they did not have this particular type of cover.

BUDGET NOTES:

If the estimated requirement is not used during the year, the balance, as at the end of the financial year, can be held for future maintenance. If there should be substantial repairs or maintenance to be carried out, or there be insufficient Corporation Funds, the Strata Manager, in accordance with sections 27 (1) and (2) of the Strata Title Act, 1988, will raise a special levy to cover the corporation's outstanding accounts, or required maintenance.

WATER CHARGES:

As of 1 July 2020, water rates have decreased to \$1.45 (previously \$2.39) per kL for the first .3836kl per unit per day, \$2.08 (previously \$3.41) per kL for all use over 0.3836kL per unit per day.

COMMERCIAL WATER PRICES

Commercial: Water Use Usage charge \$3.413 per KL (previously \$3.370) regardless how many KLs are used.

ARTICLES & RULES:

Each unit holder is individually responsible for attaching a copy of the Corporation's Articles and any Corporation rules to a letting or lease agreement for their unit.

All owners are requested to advise the management of any change in the occupancy of their units. Please advise agents.

APPROVALS BETWEEN ANNUAL GENERAL MEETINGS:

If owners want to seek approval from the Corporation between Annual General Meetings, there are two options available:

Extra Ordinary Meeting – In person: A request can be made to call an Extra Ordinary Meeting, where owners and the Strata Manager physically attend. These meetings will be charged at \$165.00 to prepare meeting notices, proxy forms, attend the meeting and distribute the minutes.

Online General Meetings: Usually an external software provider, StrataVote gives the Corporation the opportunity to hold an online meeting. This will allow owners to receive information via email and submit a voting form (proxy) online and do not require owners to physically attend the meeting. Owners who have not provided an email address will be sent the meeting notice and voting paper (proxy form) via Australia Post. Strata Vote meetings are charged at a rate of \$66.00.

Any owner who is seeking a special meeting to have items approve that directly benefit them, such as pet requests, pergola installations, air conditioners, will be responsible for the cost of these meetings.

CORRESPONDENCE AND INVOICE DELIVERY:

Horner Management provide owners with the option to have either their correspondence, invoices or both delivered via email instead of Australia Post. If you would like to receive correspondence or invoices via email, please contact our office.

DISCLAIMER – Horner Management will not be held liable for any missing, incomplete or incorrect information provided prior to the commencement of our management. (14/12/2020).

AGM 02/03/2021

Insurance Excess: There is a \$300.00 excess which is coverable by the Strata Corporation.

INTEREST & DEBT RECOVERY CHARGES ON OVERDUE ACCOUNTS:

Following an overview of the procedures followed to collect overdue levies, the following unanimous resolution was put forward and it was resolved that the following policies and procedures be adopted:

1. Interest on Overdue Levies

The Corporation will charge owners interest on all levies outstanding for in excess of 14 days. The rate is set at 15% per annum calculated daily.

2. Accounting Fees

Any cost incurred by the Corporation including but not limited to Management Agreement charges are to be recovered from the relevant unit owner.

3. Debt Collection

That the Body Corporate Manager is authorised to proceed on behalf of the Corporation with any necessary action, to recover all outstanding monies.

4. Costs

All related costs associated with the recovery of any outstanding monies will be recovered from the relevant unit owner as debt against the unit.

Moved by Mr J Baldwin and seconded by Ms J Black. Carried.

APPROVALS BETWEEN ANNUAL GENERAL MEETINGS:

If owners want to seek approval from the Corporation between Annual General Meetings, there are two options available:

Extra Ordinary Meeting – In person: A request can be made to call an Extra Ordinary Meeting, where owners and the Strata Manager physically attend. These meetings will be charged at \$165.00 to prepare meeting notices, proxy forms, attend the meeting and distribute the minutes.

Online General Meetings: Usually an external software provider, StrataVote gives the Corporation the opportunity to hold an online meeting. This will allow owners to receive information via email and submit a voting form (proxy) online and do not require owners to physically attend the meeting. Owners who have not provided an email address will be sent the meeting notice and voting paper (proxy form) via Australia Post. Strata Vote meetings are charged at a rate of \$66.00.

Any owner who is seeking a special meeting to have items approve that directly benefit them, such as pet requests, pergola installations, air conditioners, will be responsible for the cost of these meetings.

ARTICLES OF STRATA CORPORATION ***(Strata Titles Act, 1988 - Schedule 3)***

1. (1) A Unit holder must:-
 - (a) maintain the Unit in good repair;
 - (b) carry out any work ordered by a Council or other Public Authority in respect of the Unit.
- (2) The occupier of a Unit must keep it in a clean and tidy condition.

2. A person bound by these Articles:-
 - (a) must not obstruct the lawful use of the Common Property by any person;
 - (b) must not use the Common Property in a manner that unreasonably interferes with the use and enjoyment of the Common Property by the other members of the strata community, their customers, clients or visitors;
 - (c) must not make, or allow his or her customers, clients or visitors to make undue noise in or

- about any Unit or the Common Property; **AND**
- (d) must not interfere, or allow his or her customers clients or visitors to interfere with others in the enjoyment their rights in relation to Units or Common Property.
3. A person bound by these Articles must not use the Unit, or permit the Unit to be used, for any unlawful purpose.
4. Subject to the Strata Titles Act, 1988, a person bound by these Articles must not, without the Strata Corporation's consent, keep any animal in, or in the vicinity of, a Unit.
5. A person bound by these Articles:-
- (a) must not park a motor vehicle in a parking space allocated for others or on a part of the Common Property on which is not authorised by the Strata Corporation; **AND**
- (b) must take reasonable steps to ensure that his or her customers, clients or visitors do not park in parking spaces allocated for others or on parts of the Common Property on which parking is not authorised by the Strata Corporation.
6. A person bound by these Articles must not, without the consent of the Strata Corporation:-
- (a) damage or interfere with any lawn, garden, tree, shrub, plant or flower on the Common Property; **OR**
- (b) use any portion of the Common Property for his or her own purposes as a garden.
7. A person bound by these Articles must not:-
- (a) bring objects or materials onto the site of a kind that are likely to cause justified offence to the other members of the Strata Community; **OR**
- (b) allow refuse to accumulate so as to cause justified offence to others.
8. A person bound by these Articles must not, without the consent of the Strata Corporation, display any sign, advertisement, placard, banner or any other conspicuous material of a similar nature:-
- (a) on part of his or her Unit so as to be visible form the outside of the building; **OR**
- (b) on any part of the Common Property.
9. The occupier of a Unit may, without the consent of the Strata Corporation, paint, cover or in any other way decorate the inside of any building forming part of the Unit and may, provided that unreasonable damage is not cause to any Common Property, fix locks, catches, screens, hooks and other similar items to that building.
10. The occupier of a Unit used for residential purposes must not, without the consent of the Strata Corporation, use or store on the Unit or on the Common Property any explosive or other dangerous substance.
11. A person bound by these Articles:-
- (a) must maintain within the Unit, or on a part of the Common Property set apart for the purpose by the Strata Corporation, a receptacle for garbage adequately covered; **AND**
- (b) must comply with all Council By-Laws relating to the disposal of garbage.
12. A Unit holder must immediately notify the Strata Corporation of:-
- (a) any change in the ownership of the Unit, or any change in the address of an owner; **AND**
- (b) any change in the occupancy of the Unit.