

Dear Sir/Madam,

I have worked in the owners corporation/strata management industry for nearly 20 years across both Victoria and New South Wales and have held roles which have included Licensee in Charge (person legally responsible for the business) of a large national strata management company. Since 2017 I have instead been working to establish Strata Reports Victoria ([www.stratareportsvictoria.com.au](http://www.stratareportsvictoria.com.au)).

Strata Reports Victoria is an independent service acting in the best interest of the purchaser and owners corporation. Strata Reports Victoria carries out an inspection of the owners corporation records for a potential purchaser and provides them with as much knowledge as possible and ensures they have the necessary information to help them understand the history and activity of that owners corporation.

This ensures that they understand what they are investing their money into and what their responsibilities will be once they are a member of the owners corporation.

We also act for owners within an owners corporation who would like to have their own owners corporation records inspected but do not have the skills or experience to know where to find the information and what might be a risk to that owner.

With this in mind I would like to please provide this submission in reference to the below:

***Availability of Register***

*After Section 150(2) of the Owners Corporations Act 2006 insert –*

*“(2A) A lot owner must not authorise a representative who is not a lot owner to request a copy of the register or any part of the register under subsection (2) for a commercial purpose without the prior consent of the owners corporation”*

The way this section is drafted will cause problems for purchasers and not allow full transparency of the records.

I understand the concern around competitors, but the purchasing public will suffer as they would be unable to get a representative (an experienced strata inspector), to check things for them to avoid financial and other forms of loss before they purchase. Strata Reports Victoria will also be caught up in this along with the purchasing public as Strata Reports Victoria is a business and we would be seen as selling a service (commercial purpose).

Could there possibly please be a provision made around this? Or perhaps it should be restricted to state that managers or real estate agents can't be the representatives on behalf of the owner?

There has recently been a lot of research carried out by university academics that confirms there is a huge concern with transparency and gatekeeping of records within owners corporations in Victoria.

If purchasers cannot engage the services of an independent inspection company to examine and report on the books and records, they will be in the same position that has unfortunately seen real estate agents or owners corporation managers protecting the sales

price and holding back information. It will continue to take away from the transparency for the purchaser as they do not have the skills or knowledge to carry out a thorough search of the books and records themselves.

There is no other jurisdiction that has this restriction.

The most recent substantial review and change to strata legislation in NSW, left this part principally unchanged to continue this important protection for the consumers.

Warm regards,  
Jane Giacobbe