

**Publication Date: 31 March 2020**  
**YSP Podcast Transcript: Episode 207. Apartment living in our changed world: your many questions answered**

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**Intro:** Welcome to Your Strata Property, the podcast for property owners, looking for reliable, accurate, and bite sized information from an experienced and authoritative source to access previous episodes and useful strata tips go to [www.yourstrataproperty.com.au](http://www.yourstrataproperty.com.au).

**Amanda Farmer:** Hello, and welcome to this week's episode of the podcast. I'm Amanda Farmer, and this week I am bringing you an edited version of my live chat with Reena Van Aalst. We had this chat last Friday, the 27th of March, over on the Your Strata Property Facebook page. I'm telling you the date because the world is fast changing these days. We had this chat during what now seems to be becoming our regular happy hour, I'm calling it, over on the Facebook page.

It is a chance to wind down after a whirlwind week, which is really what the last 2 weeks have been. A place to safely socialise and connect with each other and a time for you to ask what I'm calling your COVID questions. How do we best manage this challenge as a broad strata community? What are the roadblocks you're coming up against as each day plays out. And you as strata managers or committee members get more and more questions from owners and residents. How do we best manage the dramatically changed environment of our buildings now that everyone is home, in particular, 24/7.

In this chat you will hear me and Reena cover meetings, how is everyone coping with the new regime of doing our best not to convene meetings face to face? There's real gold here. You will hear me refer to comments and other people who are with us on the live call. It is a Facebook live recording so we do have plenty of people tuning in and asking us questions in the Facebook comments section.

In relation to meetings, you'll hear a comment from Tim Sara, Strata Manager from Sydney's Strata Choice with a suggestion about how you can conduct a meeting with one person present, simply for the purpose of resolving a single motion. That motion being to in future conduct electronic meetings. And with that, you are on your way to electronic meetings.

So bear in mind that Tim is in New South Wales, as am I, and you'll hear that suggestion come up and it's one that I think is really clever. New South Wales managers and buildings, have a think about that one. I also ask Reena about how she's handling requests for records inspections at a time when her staff are working from home. We get into the process for how to waive interest on levies in New South Wales, including questioning whether resolution should be passed to reduce levies at this time.

We talk about the pressure that is on buildings and on managers now that everybody's at home, from noise complaints to excess rubbish to queries about why certain repairs and maintenance are not being done. Really interesting issues arising, and I think we're going to see these crop up more and more over the coming weeks.

We talk about what's happening with Annual Fire Safety Statements and chat with those who were there with us live about the experiences that they're having with their local councils when it comes to the inability perhaps to lodge the AFSS on time because of lack of access to lots where people may be isolating or not comfortable with contractors in their homes. We're hearing about some councils, not too many yet, but some who are giving some leniency in that respect.

And really importantly, we also talk about where you can find some best practice guidelines for residents, for committees, for strata managers, for building managers. Guidelines to help best manage our communities in the face of this new challenge. We talk about guidelines published by SCA, Strata Community Association and OCN, the Owners Corporations Network, and we share some links for those. I am putting the links to those under this podcast episode over on the Your Strata Property website.

Now, I have been concerned to date that these tools, these guidelines, these handbooks are not getting shared as far and wide as they need to be, especially when it comes to buildings that do not have professional strata managers engaged. I know that a lot of listeners to this podcast are owners in self-managed schemes and I know that you are doing your best to do what's right for your community.

So if you haven't heard about or had access to these best practice guidelines, have a listen to our chat about them on this episode and head over to [yourstrataproperty.com.au/podcasts](http://yourstrataproperty.com.au/podcasts).

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**Amanda Farmer:** You'll see this podcast episode, number 207 on that page. Click in and I'll have the links there for you so you can download your own copies of those guidelines.

Now, I do apologise for the audio quality in this episode because of a few technical issues before we went live. Neither Reena nor I are using our usual mics. That is just the way it rolls sometimes when you are planning a live recording, and particularly in these times when there seems to be an overload, let's say, on our technology. Whether that is the NBN, Zoom, Facebook, whatever software you're using to do live streaming.

Everybody's jumping in and using these services, which is great, but it does seem to be putting an extra strain on these systems that we haven't seen previously, so do bear with us. This is an edited version of our happy hour. So, if you do want to hear it the whole hour, head over to our Facebook page. Just search Your Strata Property in the Facebook search bar. And, of course, for members, the full copy of the video is over in the member video library.

And yes, I will be hosting happy hour again this Friday at 4:00 PM, that's Eastern daylight time. I already have a list of questions to cover, including a great question about what managing agents should be doing when it comes to contract renewals due around this time and the signing of agency agreements.

That one is on the list for this Friday and we'll also be sorting through whatever confusion this coming week is bringing to you. I would love to see you over there for a wrap up of the week that was and as we always have a few laughs, that's for sure. For now, enjoy my live chat with Reena Van Aalst. Here we go.

There may be a way, depending on the size of each building, to offer options for proxy holders.

Maybe that's staff, Reena, within your team who can accept directed proxies. So, we want the owner to set out on their proxy form, how it is that they would like to vote so that their voice is still being heard. And having the smallest amount of people present for this meeting as possible, and certainly passing a resolution at that meeting to allow meetings other than in-person for the future. So, you're taking that opportunity.

I just want to address one thing on that. There's a bit of misinformation going around at the moment in the sector about this resolution. It was published somewhere that you needed to pass a by-law to allow you to vote other than in person? Not the case. It is just a resolution at a general meeting, if you want to hold general meetings other than in-person. And a resolution at a strata committee meeting, if you want to hold strata committee meetings other than in-person.

However, with strata committees, we have always had the option to vote in writing. That's in Clause 9 of Schedule 2. I just want to flick over, I ... Reena's so eager to say something, I can tell by her face. But I'm just saying Tim is giving a suggestion. I think, call a general meeting, give proxies to one person, have a motion to approve other means of voting. That person constitutes a quorum after 30 minutes, if not already a quorum, votes in favor, motion passed. Call next meeting online by conference.

Yes, so, Tim, you're saying the only motion on the agenda is the motion to approve other means of voting?

**Reena Van Aalst:** That's right.

**Amanda Farmer:** And it doesn't matter that there's no one else there.

**Reena Van Aalst:** As long as that's directed, Amanda, because a lot of buildings, I mean, are not necessarily comfortable with just giving people proxies. So I think that's a great suggestion, Tim. We will put that on to people because in a sense I've seen other emails where people say, oh, get your staff to have proxies. Well, why shouldn't I stop being in a room with other people? If owners don't want to turn up, why are we expecting our staff members to turn up?

**Amanda Farmer:** Of course.



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**Reena Van Aalst:** I had another situation where we've got someone who wants to collect a key and they won't collect the key now because they're too worried about coming into an office to collect a key. And so, obviously is it okay for our staff to go into the office and post that key out? Do you know what I'm saying, Amanda? In a sense there's a lot of responsibility being put on managers and our team members to do things that owners don't want to do. So, I mean, we all have a duty towards our staff and team members to keep them safe.

So, I don't know why it's okay for our team members who are also working from home to have to go in, get the key, go to the post office and post it and the person that needs a key that won't come in because they're worried about getting the virus.

**Amanda Farmer:** Very true. I was on a call with New South Wales government on Tuesday afternoon about this issue. I raised it on behalf of the Australian College of Strata Lawyers. OCN's involved in those conversations. SCA is involved in those conversations. We have sent the message that we need something, probably down the track that prevents NCAT from invalidating meetings that haven't been held strictly in accordance with the legal requirements.

That is what I'm worried about as a strata lawyer, I'm worried about opportunistic applications down the track that they, hey, you held this meeting electronically. You didn't have a resolution saying that you could. We need to have some emergency amendments to our legislation or some interim direction, some order that's given to NCAT and I don't know that bureaucratic process of all of this to make sure that we don't experience the fallout down the track.

The problem at the moment, the way the law sits and the case law coming from our tribunal is that if there is a meeting that is not held strictly in accordance with the legal requirements, it must be invalidated by NCAT unless it is shown that no owner was worse off because of it, which is incredibly hard to prove, incredibly hard to prove.

So our case law is such, that the tribunal's hands are tied. So look, I've sent that message to government on behalf of the College of Strata Lawyers, whether it's going to be picked up or not, who knows? Still fighting to get a bit of attention to this sector. I'm doing the best I can to bring that attention. But meetings is definitely an issue, but I really like Tim's suggestion there that is brains for you and creativity. Thank you for that. I think there is absolutely nothing wrong with that approach whatsoever.

**Reena Van Aalst:** Totally man. Great suggestion. Thank you, Tim.

**Amanda Farmer:** The one other thing that popped into my head, Reena when you were talking about your office, what about records inspections? What's everyone doing about records inspections?

**Reena Van Aalst:** Well, we actually have for some time now just been sending a link, Amanda to all strata searchers, so we haven't actually had them coming into our office for probably the last ... probably the whole year actually. We instituted this-

**Amanda Farmer:** There you go.

**Reena Van Aalst:** So-

**Amanda Farmer:** You're prepared.

**Reena Van Aalst:** our link.... So this is fortuitous by chance that it actually worked out for us, but we haven't had inspectors coming in. We've already had one person who doesn't like using a link, but now unfortunately we're not open so and he's going to do it.

**Amanda Farmer:** Good. Well, there you go. This is going to force these kinds of practices on businesses that have been lagging behind and it's not just strata management, it's the supplies, it's the lawyers as well. There's a lot of you who know, I've been doing this for years. And my team has been working from home at least 2 days a week. I work from home, for 3 or more if I can manage it.

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**Amanda Farmer:** I saw posts there from Sean earlier saying this introvert is loving it. Being in the office, Sean, I'm kind of, aside from the kids being home thing, I'm loving it too, but you used to it, you get used to those systems and this is going to force, Natalie's saying we're all online too, this is going to force those businesses to put in place those practices and they'll be written next time, they'll be ready to go and shift everybody out, quickly.

Something that I wanted to raise, Reena, I put on our spreadsheet the famous invisible spreadsheet. It does exist everyone. It's this question of strata committees waiving interest on unpaid levies. I started talking about it earlier this week. Other lawyers around the country even have been talking about it. I know Mark Atkinson in WA posted on LinkedIn to say that the interest rate on levies over in WA is 15%.

Wow. We thought our 10% was high.

**Reena Van Aalst:** Amanda, you thought it was high. I didn't think it was high. Compared to ... No, because compared to a credit card, it's low and if you don't have equity access or access to funds unsecured, then it's not that much. 10%, it's quite cheap I think in terms of if you don't have access to capital, then that's not expensive.

**Amanda Farmer:** I love her. She's bloody tough. I'll tell you what.

**Reena Van Aalst:** I just think to myself, like other for the sum on my credit card and I didn't have money. That was 20%. So, if you can then that's fine.

**Amanda Farmer:** But I did have a couple of managers contacted me when I started talking about this and I said, oh Amanda, I'm a bit confused. There's some debate in our office about this. Are you sure strata committees can resolve to waive interest? Now, Reena, you and I have spoken about this on the podcast before so I was ready with this answer. By Section 85 of our Strata Schemes Management Act in New South Wales, that is where it says that an owners corporation may by resolution waive interest either generally or in a particular circumstance.

Now, Reena and I had a bit of a debate on the podcast, I don't have the episode to hand but we asked each other, is that by resolution at a general meeting? Is that by resolution in a strata committee meeting and I said well look at the rest of that section because the rest of that section refers to specifically resolutions in general meeting and I think Reena that was in relation to making it cheaper. So you can resolve in a general meeting to reduce levies by 10% for anyone who pays on time.

That in Section 85 actually says that, but it specifies general meeting. When it comes to waiving interest it does not specify general meeting, it just says by resolution. So the guidance that I give is yes, in my view, strata committees can resolve in a strata committee meeting and bear in mind we can have those meetings in writing to waive interest on levies either generally or in a specific case.

And what the strata managers around me I know have been saying is we're recommending to our committees that they do that, they resolve that for a certain period, be it's 3 months, 6 months, you can call a committee meeting on 3 days notice. So you can always extend that period out if you want to, if that's what you're deciding to do. But otherwise it's looking like there's no government assistance being offered.

We're seeing the just this week legislative amendment to allow the hands on evictions and to allow rent freezes. The burdens are being shifted to landlords and I say ultimately the burden is going to be shifted to owners corporations and strata buildings. So you need to be prepared for that and you need to be prepared for the fact that owners will not be able to pay their levies in full on time at all. But Reena, what are your thoughts on this one?

**Reena Van Aalst:** In motion to the amendments to the Tenancies Act? The REI has put out a communication to government because a lot of people think that landlords are rich and therefore they can absorb not receiving rent from their tenants and we all know that, usually people have a mortgage to pay, they have strata levies to pay. So in a sense that's going to put a lot of pressure. I have already had many emails from various people already saying, I think I might be losing my job and I can't pay my levies.

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**Reena Van Aalst:** Now, in one particular instance, that person has been a serial offender for quite some years now. So I think some people may be using that as an excuse, but in other cases we've actually decided on a case by case basis whether we look at the history of the person's payments and whether or not these are legitimate circumstances or is it just some people opportunistically using legislation and the current climate not to pay their levies because as we all know, your cleaner has to get paid, you've got to pay your insurance premium, there's certain bills that the scheme has to pay and unfortunately for some buildings that don't have a lot of excess cash in their accounts, it's like living hand to mouth in a strata scheme, it's very difficult.

**Amanda Farmer:** And I know there are owners out there, they've been posting in our member forum with concerns about repairing urgent repair and maintenance work, not being done, not having the money to do that. Directing funds instead to the essential, let's call it, essential items like cleaning and paying your strata managers so they can keep running the trust account, paying your insurance premium. We are, I believe, going to see the knock on effect of this for quite some time.

I just want to say to anybody who's coming in, I can see there's quite a few of you there, feel free to post in the comments and let us know. Give us a hi, let us know where you are. I'm seeing another Sean there. And it has to be a case by case to stop the opportunist. Yes, I agree with that Sean and that's a ... it's a hard job.

It's a hard job for our strata managers, for our committees and we're going to have to be focused I think and strata managers to be up to date. So Reena, you just said I ... somebody approached me looking for relief, but I know this person is a serial offender. I've been seeing that a lot. I follow a lot of the property management chat rooms and the Facebook groups for property management and the poor property managers. Oh they are so swamped right now because they've had this announcement about possible eviction bands and rent freezes and they have tenant, after tenant, after tenant emailing them saying, oh look, I haven't lost my job yet, but times are tough.

I'm not going to pay my rent. Is that okay with you? And they're saying we don't know what to do. I think every evening we're waiting for more guidance from the government on that issue and that's what the property managers are saying. We're hanging out and strata for some kind of guidance, but I don't think it's going to happen. Hi Gary. Thank you for saying hi. Nikki, we've had plenty of questions about levy payments to Amanda. Yes.

So I think committees need to be aware of what their upcoming commitments are. Are there things that we can put on hold that we wanted to do, the nice to do things? Can we put them on hold? What are the essentials and what is that going to cost us over the next period of time? Nobody wants to see owners who are in financial strife, who owners who've lost their job being pursued for levy arrears through legal proceedings or through letters of demand.

Have you got a policy within your business, Reena, or are you talking to each particular scheme about what they'd like to do as that comes up? Have you changed your proceedings?

**Reena Van Aalst:** So normally what we've done historically, I mean most of my colleagues would also attest to the same Amanda, is that we have 30, 60 day, 90 reminder. And then after that we would go to the strata committee and ask them for advice on whether or not to proceed further for debit card rate action. But what we've agreed in our office now is to basically not even, with the 30 day reminders, go to the committee even on those now and just get their advice as to which reminder letters to send out and which ones not to send out.

And again, I think we can look at people's payment history perhaps as an indication of whether we will, the owners corporation will, and the committee will agree to proceed or not. But we do understand the hardship that people are going through and I think as managers we all want to support that, but also we know that there are people that do take advantage of the situation and hopefully they'll be in the minority.

**Amanda Farmer:** Hopefully, but I do, I agree it has to be done on that case by case basis. I think there's more work in it for you guys, but this is a moment in time. It's just something that that has to be knuckled down and have to go ahead with. I am just having a read of the comments. Sean, I've had a committee member who's just lost her job asking if we can change the levies before the AGM.

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**Amanda Farmer:** I've told her no, we have to rely on waiving interest and payment plans. They're already putting works on hold. Yes. Thank you for raising that, Sean. I've had that question too about should we call an AGM and reduce the levies? I've said no. That's probably not the way to go about it. You are not legally obliged to pursue unpaid levies. The strata committee can decide, as Reena's saying you can instruct your strata manager don't issue those notices.

You can waive interest through a strata committee resolution, as you've said there, Sean. I don't really understand why you'd want to go back to general meeting and reduce levies. Simply have a policy instead that you're not going to pursue arrears or you are going to enter into payment plans. I understand that you do need a resolution to be able to enter into those payment plans, but something I've said when I've looked at these payment plan arrangements is you can establish your own informal.

As a committee, you can establish your own informal payment plan about accepting from the lot owner X amount per month in return for not formally pursuing levy arrears. You just agree that you're not going to pursue them and you'll take what you can get, what the owner is prepared to pay. That is your informal if you like, payment plan.

So if you can't get together to pass a resolution for formal payment plans, you can definitely do that. Kirrilly, lovely to see you, is asking has anyone preempted the issues that will arise from having a larger number of people stuck at home and how to try and deal with them? The high number of residents disputes, dumping of rubbish, parking issues. Kirrilly, how about the high risk of the spread of infection?

Yes. Somebody has preempted those issues. I have been talking to a few people about that the last couple of days. There might be some media on that in the next few days trying to draw some attention to those issues. We are all home now. We've all been sent home. I feel that apartment buildings are not being given enough guidance, whether that's from government or from representative bodies about what we should be doing.

I live in strata, what should be doing? We have to remember that not all of our buildings have strata managers. A lot of them do not have strata managers, so they don't have someone there saying, "Oh, hey guys, by the way, I've upped the cleaning and put this notice up and make sure that you tell residents to report if there's a confirmed case." Who is giving those buildings guidance to make sure that they have all of these issues covered? What are your thoughts on that Reena?

**Reena Van Aalst:** That's exactly what's been happening, Amanda, in many schemes where some people think, well we can't keep wiping down the handrails every 5 minutes because some people want that to happen. And then other schemes have had their cleaners coming in more frequently. Like the larger buildings, especially with extra rubbish, Amanda, and people parking illegally, all those sorts of problems were actually, that's about it, it's time.

But I think in a sense when you talk about guidance from the government, I mean I just find that, I mean yesterday you could, hairdressers could only have a 30 minute session and then the next day it's removed. So I'm not really sure in terms of how you would try and regulate buildings and how often they need to have cleaning done. I mean some buildings have wooden staircases, you can't use alcohol on wood.

There's always different, sort of challenges that I think buildings face, which is unique than say an office block where you can put a hand sanitiser at the front and everyone has to use it and they use their elbows to press the lift but I mean I think that rubbish, people not dumping their rubbish, a lot more rubbish being obviously occurring because of people staying at home and noise I had today, a noise complaint from one of my strata schemes what do I do?

And I said, well get the tenants right to me. So I think people being at home, I think people are far more, I'm not sure if any of you would be experiencing this, but I think people are far more because of their fear, they are far more, I would say short tempered, but very prickly, maybe the word is more appropriate. I'm finding that people ring you and it's like, if you don't answer them straight away or you don't respond to an email that they sent less than 24 hours before they're getting very upset about it, which I think normally wouldn't be....

I think also, people are at home, so when you're at home you've got a lot of time to look at what's wrong with the building and we're getting emails like, this hasn't been done. It's like, well, oh okay.

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**Amanda Farmer:** Not sure that now's the time.

**Reena Van Aalst:** Exactly, because they're at home Amanda, and they don't... In front of you, then you go downstairs and you can see something's not right, whereas before when you're on your way to home ... when you're on your way to work in the morning and night, you probably wouldn't notice things. So it's actually bringing certain personality types to the forefront.

**Amanda Farmer:** How interesting. All of these issues, I'm just hearing a rattling at my door. So I might have a child and maybe a dog in here shortly, but they can join it. It's all good. Now, there are some excellent conversations going on in the chat here and I just want to draw them to everybody's attention. Brandon asked, have we any responses from councils regarding fire safety statements and extension for submissions as access to lots will be an issue?

And Megan, who I know is that city of Sydney council has said, I've got an answer for you, which is great and I'm just, I'll come back to you Nathan, but I'll just scroll down to Megan's answers, the City of Sydney in terms of AFSS submissions, if an owner is experiencing or expecting delays as a result of building access issues with contractors, the city will consider that a stay of pin application, which effectively suspends the due date and a decision has been made to waive the fee associated with that applications for 12 months.

Go, City of Sydney, I heard the exact opposite. I think it was through one of the fire guys today. I heard the exact opposite that a council said, no, we are not. We have no plans to offer any extensions or waive any fees. Nathan said he's getting a one month extension from his council as well. It would be good to know if that was their attitude was too bad. Oh, sorry. We had a council discussion asking for 1 month extension, but their attitude was, too bad. Needs to be done.

Yes, so City of Sydney and you're the first one I've heard that's doing that. Good on you. Hi Phil, who's in Warners Bay. Lovely to see you. Natalie's had trouble with council's giving extensions. Now connecting directly with the mayor. Thank you for sharing all of that. That's a really important topic to discuss. Kirrilly says, saying 100% agree. I think that's what you Reena about what's going on when everybody's at home.

There's not enough guidance for our industry. And my pleasure, Kirrilly. Thank you for the thank you. I am not calling for any mandated legislation. Any strict legal requirements. A fact sheet would be nice. Something, a checklist, some guidance, some suggestions and I know that some strata managers are doing that. I know some buildings are doing that. I know that there are fact sheets and posters available on the health websites but specific to apartment buildings.

As you've just rattled off there Reena, we have specific concerns and I know there are communities out there who are just, we are overwhelmed by having to move our work from our home. Some people are losing their jobs, some people don't have the income coming in anymore. For some people who do not have a professional strata manager, the last thing on their mind is caring for the common areas and making sure that they're properly sanitised.

**Reena Van Aalst:** I think Amanda, I was just going to mention that Nikki has said that there's, SCA has put out a best practice guideline. So that might be helpful.

**Amanda Farmer:** Excellent. I'd love to, if there's a link to that, Nikki would you mind posting it in? I have seen some of the stuff SCA has been putting out. It's been ... I've seen it mostly directed to members and we have to dig a little bit to get access to that so if there is a guideline that is for non-member ... everybody, that would be awesome. I can say Megan's posted a link for OCN as well. Thank you so much.

So this is great guys. I love it. Barbara, does anyone have any practical ideas about how we can minimise virus transmission risk in a strata building? We have 25 units. Our lift is less than 4 square meters. Should we recommend only 1 to 2 people in a lift at a time? Should we encourage people to use the stairs? Great questions, Barbara. All great questions.

My building is very similar to yours. It's a bit bigger, but we've got one lift and it is small. I'm not sure, I think you can suggest perhaps only 1 so people don't think, they jump, there's 4 people there and we all jump in because we're all going down and that's what we're used to.

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**Amanda Farmer:** But maybe some signs. It's just a sign up suggesting for social distancing purposes, perhaps only 1 or 2 people in the lift at a time.

Encourage people to use the stairs. There was a question a couple of weeks ago when all this was just breaking about whether lifts should be shut down. I don't think you should be doing that. There'll be people who won't be able to get access to their property without the lift, so the common sense approach, but these are all great things to be talking about and I just think that communication is key here.

Putting up those signs, sending the emails out to residents, making these suggestions, having a look at those OCN guidelines, the SCA guidelines. I can see Megan's saying its useful guidance for COVID-19 and strata living from ... Sorry, yes. OCN I've got the 2 links there. Joe is saying that he recommends one person per lift ride. It sounds good. I think Joe, you're in facilities management so that's good to hear from you.

Sean, I'm finding people at both ends of the scale. Very polite and understanding or completely off the scale in terms of expectations. Nikki, thank you. That's the SCA link there. Everybody check that out for their guidelines. Megan, thank you. A pin is a penalty infringement notice. Henry, the important thing for strata managers is to be proactive and reassure rather than reactive and legalistic.

Personally, I would not worry about government guidance and work together as a complex. Yes. Excellent. And the fact that you're here Henry and tuning in and being proactive, you're not the one that I'm talking to that needs the guidance. Put a sign in the lift, says Tim, use your keys to press the buttons. I like that. Keep the person's virus to themselves. I want to know what you're drinking today, Tim, because I like your emojis.

What have you brought to happy hour? Lovely to see Darren from Precise Property and wear disposable gloves before entering the lift, says Joe and yes, the sensible advice. I think I've actually shared the OCN guidelines on this Facebook page and I've also shared something from SCA today as well. I'm not sure if it contained those guidelines, but I will look into that and share those directly if I haven't already.

Wow. So much that we've covered so much to talk about. Reena, was there anything jumping out of all of that while I take a breath unusually for me, anything you wanted to dig deeper on?

**Reena Van Aalst:** I just wanted to mention, I think in terms of people's behavior in buildings, Amanda, as you mentioned, I think Sean said it, some people were actually quite helpful and other people are quite off the scale, but I think all our buildings have closed their gyms, but, unfortunately, people still have the access with their swipe and certain residents are still using the gym. So we're now having a lock on the gym now we're going to change the locks.

So I think just to those out there in strata world, you can say that some people still want to do the right thing even when there's signs saying don't use the gym. And I'm sure that makes our job much more difficult and building managers as well. So, unfortunately, people's behavior I think as I said, the camaraderie and the helpfulness comes through predominantly, but there are a few challenges that we still have to face as managers.

**Amanda Farmer:** And I think if we keep talking about those, bringing them to light, that's a really good point about swipe access still to the gym. That will remind some of our other strata managers maybe to check on that.

How can a committee agree to a different payment process that was passed at a general meeting of the owners corporation? That's from Precise. I can say Reena jump in.

**Reena Van Aalst:** What I want to mention, I think I know what that question relates to. Some buildings, Amanda don't want any payment plans. But they've passed resolutions at their AGMs not to have any payment plans proposed. That's what, I mean, that's what the question relates to. Not about the quarterly levies et cetera.

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**Amanda Farmer:** Thank you. I'm not sure I agree then that you may resolve to say we don't want payment plans, but then a committee is inactive. It doesn't do anything about levy arrears. That's not imposing a payment plan, that's just not doing anything about levy arrears. I suppose that then raises the question, is there an earlier resolution that they would do something about levy arrears, interesting question.

Go back and check your minutes of last meetings. Have you all resolved as I know so many buildings do that we will pursue unpaid levies. Oh God. This just gets deeper and deeper, doesn't it? Thank you Precise Property. Very good question and more for us to think about. There's something else. Sorry, it's in my head. A strata manager asked me this last night about waiving the interest, a strata committee waiving interest on levies.

Can they do that even where interest has already accrued and is on the ledger? My answer to that was yes, I believe they can. The interest has accrued. It's on the ledger. It can just be reversed if the strata committee makes the decision that no interest is to accrue. Do you agree with that, Reena?

**Reena Van Aalst:** I think that's correct, Amanda. I think it's like a retrospective approval in a sense. Anything that's already accrued to date, and is actually reversed maybe needs to be worded in that way.

**Amanda Farmer:** Certainly not if it's already been paid, if it's already been paid, then we're not giving refunds. If owners have paid their levies with interest because that's what was billed to them and then they're coming back to you saying, oh, you've agreed to waive it. You might have to be careful with your resolution there just to avoid that confusion, but we're not giving refunds to anybody.

We're just deciding to waive interest, whether it is for the future or whether it's already accrued and is on the ledger. Have a think about that. Brandon's saying thank you. I've attempted to assist owners by providing a voting form to which they can convey all votes for each motion with the proxy appointment to myself as a strata manager. Not sure how it will pan out. I think that's Brandon following Tim's suggestion there and Precise, thank you. Just clarifying. Yes, Reena, you're on the ... you hit the nail on the head there.

We're talking about levy arrears and payment plans. Really good question. I hadn't thought, I know those motions are so common. General meeting resolutions where you have committed to recovering arrears, the strata community can't act contrary to an owners corporation general meeting resolution. So check those. You may be convening these general meetings other than in person for the purpose of changing your position on that.

So maybe they're deciding not to recover levies and deciding to waive interest is more complex than first meets the eye.

**Reena Van Aalst:** I think so, Amanda, I think it's again on a case by case basis of each building, how they ... what are their resolutions at general meeting level.

**Amanda Farmer:** Love it. I should say, love the complexity, the intellectual part of me, the lawyer in me, the human being in me is bloody exhausted, you see? That's the human being. So-

**Reena Van Aalst:** I know that Amanda, you're not saying you love levy arrears.

**Amanda Farmer:** Yes. Oh no, and I don't love all of you being challenged and owners having to work through these difficult times, but we're here. We're here to help. We did this last Friday and I had my special guest, Heidi Denning, on the show. It's the happy hour show. If you haven't caught that one, do head back. It's on the page. You can go and catch that one. It was lots of fun. I've been drinking less wine this time around, but my cheeks are hurting from talking so much.



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**Amanda Farmer:** So that's probably why ... next time I'll drink more wine and talk less. Let us know how we can help you, what your questions are. We can do a roundup of questions at the end of the week that have come through. You're all thinking the same thing. You're all asking the same thing. You're all dealing with the same problems, and if we can be a source of information and support and guidance for you, then that is the least that we can do in these unprecedented times. Challenging times. All right, anything else before we wrap up, Reena?

**Reena Van Aalst:** No, I just want to wish everyone a happy weekend. I know that we're probably just going to be for walks perhaps, but at least enjoy.

**Amanda Farmer:** Enjoy indeed. Thanks everyone. Thank you, Reena.

**Reena Van Aalst:** Thank you. Bye.

**Outro:** Thank you for listening to Your Strata Property, the podcast which consistently delivers to property owners reliable and accurate information about their strata property. You can access all the information below this episode via the show notes at [www.yourstrataproperty.com.au](http://www.yourstrataproperty.com.au). You can also ask questions in the comment section, which Amanda will answer in her upcoming episodes. How can Amanda help you today?

