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## YSP Podcast Transcript: 390. How Nikki Jovicic of LookUpStrata is Empowering Owners

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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.

**Amanda Farmer:** Hello and welcome to this week's podcast episode. I'm your host, strata lawyer, Amanda Farmer. And my guest this week is Nikki Jovicic.

Nikki is the founder of Look Up Strata, a website that is known and loved by many of you. Look Up Strata has been providing strata title information written by industry leaders to lot owners, residents and the property industry since 2013. With her background in information management, Look Up Strata has helped Nikki realise her mission of providing detailed, practical and easy-to-understand strata information.

Look Up Strata is known for holding regular free webinars where Nikki hosts a strata expert to present a specific topic, she also provides an "Ask a Strata Question" service where you can submit Strata questions, where you can submit questions that are answered by an industry professional. Nikki shares her time between three companies, including Tower Body Corporate, a body corporate company in Southeast Queensland.

Now with our common passion for arming Strata owners with top-quality Strata information, Nikki is no stranger to the Your Strata Property podcast. Back in episode number 214, Nikki joined me to share how and why she built Australia's top strata blog, [lookupstrata.com.au](http://lookupstrata.com.au). Check out episode number 214 for more of a personal chat, perhaps with Nikki. We get into her background and the history and growth of the Look Up Strata website.

Today, I've invited Nikki to share more about how the content on the website is produced, including how the Q&A process works. Nikki comes armed with a couple of questions to ask me, and we discuss how important it is that our strata managers, access and receive their own quality education in order to best serve their owners.

Now at the time of publishing this episode, I do still have some spots available at the Your Strata Property One Day CPD event which is happening in Mudgee, New South Wales on Friday the 23rd of February 2024. You're going to hear Nikki and I talk about that event.

I know that the week that this podcast episode is going out, Nikki is also sharing the Mudgee opportunity with her large database of strata managers. So I don't expect those few spots to last long. If you are a New South Wales strata manager who's perhaps a little tired of the same old CPD programs and industry events and you're looking for something out of the box for 2024, if you're looking for a place to inspire some new ideas and some new energy for what is destined to be another challenging year, if you want to get on top of the new New South Wales legislation as quickly as possible, all while socializing with like-minded professionals in a stunning regional location then come and join us in Mudgee. You can find out more and book your spot over at [yourstrataproperty.com.au/cpdevent](http://yourstrataproperty.com.au/cpdevent). I hope I can see you in person very soon.

For now, I will take you right on over to my chat with Nikki Jovicic.

**Amanda Farmer:** Nikki Jovicic, welcome to the show.

**Nikki Jovicic:** Thanks so much Amanda for having me. It's really great to be back with you again today.

**Amanda Farmer:** It is a pleasure to have you back. You have indeed been a guest here on the podcast before, episode number 214. That number doesn't seem long ago, but I think it might've been a couple of years. Thank you for making the time to come and chat to us again.

## YSP Podcast Transcript: 390. How Nikki Jovicic of LookUpStrata is Empowering Owners

We've got a lot of new listeners since you joined us last, Nikki. So tell us, what is Look Up Strata? How did it come to be? And how is it going from strength to strength?

**Nikki Jovicic:** Well firstly Amanda I'd like to say congratulations because I think you hit a milestone with your podcast the other day did I see that somewhere?

**Amanda Farmer:** We have hit 200,000 downloads. Yes, we're having a bit of a celebration. Thank you.

**Nikki Jovicic:** I think that's fantastic. And yeah, it's lovely to be back. I think maybe it was about four years ago, I'm not sure. But four years in strata world is an awful long time, isn't it? A lot of changes have happened since I spoke to you last time.

**Amanda Farmer:** Cheers.

**Nikki Jovicic:** Okay, so we're just to give you a background for the new listeners that are here if you're not aware of Look Up Strata and where we've come from. We've been live for around about 10 years now and prior to that I was actually working up in Arnhem Land at a health library pulling together online fact sheets, which was a fairly new thing back there on topics such as tuberculosis and scabies and remedial heart disease. And my father owned a body corporate company in South East Queensland. And he came up with the idea. And particularly the idea of the site was to provide information for lot owners that were trying to navigate the complex world of strata. And way back then, there wasn't really that much information online. And I think since then, Amanda, you've come on board and you've got so much information as well. And there's just a wealth of content out there. And of course our site's grown over the years as well.

But that's the background and then through those years, it kind of morphed because of I guess the information that we have and the interest that there was out there and we have a lot of strata managers and also other strata professionals that come on and consume the content that we put out as well now.

**Amanda Farmer:** So from tuberculosis and scabies and heart disease to strata, nice match, I think.

**Nikki Jovicic:** Well, I guess it's not really that much different when you think of it because it's the same of matching up topics and forming content silos, I guess, to do with things like pets instead of tuberculosis and committee concerns instead of remedial heart disease. So I guess there is a connection there.

**Amanda Farmer:** Oh, you've definitely got the skill that is needed to run a large information website as you do so well, Nikki. And to hear you say that it was originally an information resource for owners and has morphed into a resource that you're seeing many strata managers also access, that has been precisely my experience with my podcast and my online membership community originally built as an information source for our owners, whether owner occupiers or investors, and then finding that not only were strata managers listening to the podcast, but they're also joining the membership. And we'll talk a little bit more about how I've moved further in that direction to support strata managers with their ongoing education.

What I do see, Nikki, is the very clever way that you engage strata managers, also other service providers, lawyers and accountants and engineers, other professionals, you engage them in your content and allow them to provide answers to a lot of the questions that owners or perhaps other strata managers are asking, was that the original intention that it would be a Q&A style platform and that you'd have the community helping out, answering questions, or is that another development that's happened along the way?

**Nikki Jovicic:** It's definitely a development that's happened along the way. I think originally we were republishing content that was being put out by strata managers and we thought that we would have an information site where we just pulled all the information together that was all over the web in different bits and pieces, and in some respects the site does that because we do have a couple of legislation fact pages that have all of the legislation for the different states pulled into one spot which is quite handy as a

## YSP Podcast Transcript: 390. How Nikki Jovicic of LookUpStrata is Empowering Owners

resource, but then from that point, we started to send out to a very small group of people a newsletter many, many years ago back in 2014 or something. And some of those people wrote back to us and said, well, "we have a question about this." So they'd start to put comments up underneath the articles that we posted.

And of course, I don't come from a strata background, I come from an information management background, so I didn't have the ability to answer those questions. I wasn't qualified to answer those questions. And so we started to go back to the authors of those posts and we went, well, this is not a bad idea. And I think the questions that were asked really resonated with the rest of our audience, because they were questions that other lot owners had come across, so they were dealing with similar situations in their own buildings.

So it made sense at that point to start publishing those and getting permission of course from the owners and the people who are answering the question that were happy for us to do that. And so that all came about that way. And we have now some of our articles, we try and stack the questions for particular topics up on top of each other. So for example, if we had a visitor's parking questions that came in on that page, there might be 20 or 30 Q&A's that are stacked up on top of each other and they're unusually all different circumstances that have occurred and it's led to a question from an owner or a strata manager about a problem that's occurring in their building with something like visitor parking.

**Amanda Farmer:** And you are nationwide, so on your website, you'll have questions that are coming from New South Wales, owners and managers from Western Australia, from Queensland.

Do you ever struggle to find answers to questions from, let's say, jurisdictions where there might not be a lot of professionals working in that space?

**Nikki Jovicic:** We definitely do. We've got small audiences in different states such as Northern Territory in Queensland and we don't get a lot of questions because of course the numbers of the owners are a lot lower up there. But when we do get questions, we find it really hard to get somebody to answer questions in those states.

So if anybody's listening, Amanda, any of the professionals out there, we thank all of the people that assist us with the answering of the questions. It's a really great service that they do. These are people that, as you know, they're time poor. They got no time in their life, they're already trying to juggle the responsibilities that they have on a day-to-day basis and they're willing to come along and assist with sharing that information to help other owners that aren't particularly their owners in all instances and answer questions for them. So we really thank them.

But yeah, if anybody's out there and they're hearing this and they're wanting to contribute more to the strata community, we really would appreciate if they get in touch and if they'd like to join. We have a really great network of people all over Australia and we have quite a few people in each state. So we don't overload anybody. We sort of have a chat with them beforehand and ask how they would like to operate, how many questions they're happy or feel comfortable in answering within a month, sometimes it's only one every two months and we're fine with that we haven't got a problem with that at all sometimes it's more frequent than that.

**Amanda Farmer:** Yes, when I am contacted by owners asking questions about NT strata law, South Australia seems to be another place where we don't have too many professionals. I know we have strata managers there, but in terms of professional legal advisors, I've been asked a number of times if I know anybody in South Australia. No, I don't, and certainly for the members inside my online membership community, yes, a lot of time is spent off searching different pieces of legislation, researching to be able to provide the right guidance to people in those smaller, let's say, jurisdictions who are still struggling with what I always say is essentially at its heart, the same old problems. We all have, yes, there may be different legislation, but from a day-to-day perspective, the challenges we're facing, I've found over many years, not too dissimilar.

**Nikki Jovicic:** I would have to agree with that Amanda. I think that the legislation is different but when it comes to something like visitor parking, people are having problems with that all over Australia and it's essentially the same problems.

## YSP Podcast Transcript: 390. How Nikki Jovicic of LookUpStrata is Empowering Owners

We do keep them to their state, so we're very clear on the articles that we publish, whether it's a WA question or a New South Wales question or a Queensland question. And we often get people from different states reading those articles and then commenting on the bottom of them, or we have to get back to them with very clear information that the answers that are provided on that WA page, if you're living in New South Wales, are not applicable in that state, you do have to go back to the legislation and make sure that it's applicable.

**Amanda Farmer:** Yes, that's really important.

Now, Nikki, I did ask you before you joined us today to come armed with maybe some questions that you've been receiving at Look Up Strata headquarters. And I may do my best to provide some guidance in response to those questions. Have you got a few for me?

**Nikki Jovicic:** We have Amanda and we would love you if you could respond, that would be fantastic. I know you do this regularly on a Friday afternoon, you'll pick a question out and answer it on your Friday afternoon session that you have, which is really popular. And I listen to that quite regularly as well. And so that would be great if you could help us today with a few that we've received in.

**Amanda Farmer:** Hit me, let's do it.

**Nikki Jovicic:** "We are only part way through our contract with our strata management company. On the agenda for our AGM, there was no mention of the renewal of the strata managing agency agreement. No owners attended the AGM and the strata manager renewed their contract for a further two years. Is this correct? We're not happy with the management and would prefer not to renew. And this is a New South Wales question."

**Amanda Farmer:** Right, well like you that was going to be my first point of clarification to say I'm a New South Wales practitioner and while what I say might be applicable in other jurisdictions, it also may not be. I come from a place where I'm referring to the Strata Schemes Management Act 2015 which is our legislation in New South Wales and look, my first concern when I hear this question, Nikki, is that the strata manager was the only one at the Annual General Meeting. Did I hear you say no owners attended the AGM yet the strata manager apparently must have voted to renew their own contract?

**Nikki Jovicic:** Yes, that's how we understand it.

**Amanda Farmer:** Now in New South Wales, a strata manager can hold a proxy that an owner has given to them to vote on motions where the owner might not be present at the meeting. But we have very clear legislation that says a strata manager cannot exercise a proxy vote if it will assist in obtaining a financial benefit for that strata manager. Now that restriction also extends to building managers who might be holding proxies, so a building manager couldn't vote using a proxy for the renewal of their contract and a strata manager certainly can't vote using a proxy for the renewal of their contract.

So that's kind of a big thing that jumps out to me with that question. If the strata manager was the only one in attendance and they exercised a proxy to renew their own appointment. No, very naughty of that strata manager to do that. And then the next question that arises is whether that agency agreement, that contract between the strata manager and the owners corporation has now been signed because if nobody else supported the renewal of this agreement or the entering into of the new contract, then I imagine nobody has signed it. That is an odd situation I have to say Nikki. I imagine you get lots of questions about engagement of strata managers and contracts but I've never heard of a strata manager single-handedly reappointing or appointing themselves at an AGM. Very brave.

**Nikki Jovicic:** Well thank you for the response Amanda. As you know we only ever receive one side of the story so I'm not sure if they were the actual circumstances that did occur but that's certainly what has been disclosed to us by the lot owner in that situation, and are you happy to tackle another one?

**Amanda Farmer:** Let's jump in, yes.

**Nikki Jovicic:** "Can a Strata manager legally operate a trust account without a signed contract? The committee has not signed the contract because they're considering changing strata managers. I'm not sure if now is the best time for change since we're in the middle of a major lift upgrade and our first special levy is due next week. What should we do?"

**Amanda Farmer:** Ah, so this is a really great follow on because I've just mentioned there "signing strata management contracts". And the question is whether the contract is valid if it is not signed. So again, I'm going to refer to the New South Wales law. We must, owners corporations must appoint their strata managers by resolution at a general meeting and that resolution must also authorize what the law calls the instrument of appointment.

That's just a fancy way of saying the contract. We have to approve the contract as part of that resolution and that's why I always say these contracts should be attached to the agenda so owners know what they're approving.

This question of whether then even if you've passed the motion that has appointed the strata manager and approved the contract, if it's not signed if the contract is then not signed is it valid? That question has been answered by our Tribunal interestingly there is a case. I think it's an appeal panel case and I'll pop a link to it in the show notes For this episode. It's the case of perpetual strata management and the owners of strata plan number nine-seven nine seven seven, a 2020 appeal panel case and It was precisely this situation the owners corporation had not signed the agency agreement after it had been apparently approved at a general meeting and later the owners corporation actually tried to appoint somebody else, a different strata manager and the strata manager who was effectively ousted by the owners corporation sued for I think it was about close to 10 grand in management fees and the appeal panel of the tribunal ultimately said "without a signed agreement you, strata manager are not entitled to recover those fees."

Now that was the case based on those, I'll say that again, based on that situation, based on those facts, a different situation may produce a different outcome, but certainly in that case, the manager was trying to claim fees that they had charged pursuant to the terms of that contract. That contract was not signed, was not valid, so the tribunal appeal panel said, "nope, can't get your money, sorry about that!"

So really, really important. And while this is a New South Wales case, I'm sure this guidance is just as valuable anywhere else around the country. So important that Strata managers are doing all of the things that they need to do to ensure that their agreements are in place. And signing those agreements is, I think, one of the most important things to do.

**Nikki Jovicic:** Thanks, Amanda. That was great that you were able to answer those for us. In both of those cases, of course, they were dealing with the strata manager. As you say, we get lots of questions in from lot owners and committee members who are concerned about strata managers and the service they're providing and whether they're the right fit for the committee and asking whether they should terminate them or they can terminate them.

And usually the response that we get from our professional people that we send them out to, whether they're Australian managers or lawyers around Australia, they usually recommend that the committees or the people have a talk back to the principal from the Australian management firm and there might be a disconnect between what the services provided and an understanding between what the services provided the Australian managers think they're providing and then the owners corporation is expecting them to provide or maybe just the Strata Manager is not a good fit for their committee and there's someone else in that business that could take over the building. Would you recommend that that's probably a good course of action?

**Amanda Farmer:** Yes, look where we have fixed term contracts as we often do in New South Wales, you might have a contract with your Strata manager for a year or two years or maximum three years, then it's not so easy to just say "we want to get rid of you Strata manager. We want to terminate the contract." So in most situations, you really do need to be trying to work it out. It is

## YSP Podcast Transcript: 390. How Nikki Jovicic of LookUpStrata is Empowering Owners

possible to terminate a contract early if both sides, both parties consent to that. And that is in our standard form agency agreements, there's a clause in there, both parties consent and you pass a resolution at a general meeting, then you can each get out early.

But as we know, if there's conflict, then generally one side wants one thing and the other wants another. So I agree, Nikki, I'm often advising clients and those inside our membership community that where you are, you feel that you're butting heads with your strata manager or they're not performing what they promised. It's not what you expected. Certainly having a chat to the higher ups in the company, if they exist, if that's not the person who's managing your building directly. I've seen many buildings have success having another person in the company appointed to look after their building day to day.

Sometimes it's a personality issue. And if you're working with a larger company, there may be any number of other people who could be allocated. The task of managing your building and those personality issues can be resolved, just a different way of communicating, a different style can be helpful. But having the conversation, I do agree that sometimes committee members, owners, telling themselves certain stories about what's going on or not going on and sitting down and having that conversation, whether it's in person or over a video chat or even a phone call with the managing director of the company or a team leader can help to clarify those stories and make sure that you can get to the heart of the problem and hopefully solve it without too much more pain.

And indeed we're looking, I always play as a lawyer, I'm always playing out what's the legal solution, tribunal order, yes we have the opportunity in New South Wales to go to the tribunal seek and order terminate a contract. We've got legal fees, time, money, energy, emotion. If it can be resolved without all of that, then that's always the better result.

**Nikki Jovicic:** Excellent. All right. Thank you so much.

**Amanda Farmer:** Always happy to answer questions about the relationship I suppose between owners and strata managers. It's something that I talk about, Nikki, on the podcast a lot. And I do believe that the more skilled, the more knowledgeable, the more highly trained, let's say our strata managers are, then that just leads to a more enjoyable experience for our owners.

I dedicate my legal practice, as many people know, to acting only for owners these days. I don't act for buildings. I don't act for owners corporations. If I get approached by owners corporations, we've got a list of people that we refer off to, but I devote most of my hours in the week to acting for lot owners. And on the education side of my business, I do a lot of work training strata managers.

And I see that as a really nice little ecosystem there because as I said, if we've got more skilled, more capable, more knowledgeable strata managers, then we have better outcomes, I believe for owners. And that's why this year, 2023, I decided to become a New South Wales fair trading approved provider of CPD education for strata managers. And that CPD is continuing professional development for the uninitiated. And something that I know, you know about Nikki and have been helping me to share is that on the 23rd of February 2024, I'm welcoming an exclusive small group of strata managers to my inaugural one day CPD event that I'm hosting in Mudgee.

**Nikki Jovicic:** And I think that's a fantastic initiative, Amanda, and I can't imagine a better way to start the year than to go on to a whole day's training with you and with other professionals that you've organised for that day. I think it's a really important thing to do. And it's great that there are other avenues to collect CPD points out there. It just makes the conversations in Strata I think richer. We're all for more voices out there in the Strata industry. Definitely and I assume that you would agree with that as well. It's better to have more voices out there and different people learn differently as well. So there might be some people that learn in a different situation than a different strata manager and to offer those choices. That's a great way to push the industry forward.

**Amanda Farmer:** Yes, it's interesting that you raised that because those who are attending the event can in one day get all of their compulsory CPD hours. This is for new South Wales, licensed holders and I think maybe half if not most of those who've booked to

YSP Podcast Transcript: 390. How Nikki Jovicic of LookUpStrata is Empowering Owners

attend so far have said to me, Amanda, I've already got my CPD points throughout the year, but I'm coming to this event because I know that you and your special guest presenters will have a particular take on the topics, the way that you present them will be different. And it's so important to me, whether it's a business owner or an employee in a business, that I am learning in a way that best suits me and my style and that sinks in. We can sit on webinars and we can sit in rooms and we can hear the same information, but told a different way. It has a different impact.

So I thought that was interesting that those who've already got their points have said, look, I'm coming for the networking. I'm coming for the long weekend away with the family. I'm coming to surprise Amanda with a few strata questions that I might have up my sleeve. So definitely it's going to be a really fun day there.

And once again, thank you, Nikki, for helping to, I'm going to say the right words, I don't want anyone to think that you're a sponsor. Thank you, Nikki, for helping to share this event widely with your audience of Strata managers as well. I do appreciate that. I think, yeah, I do appreciate that.

**Nikki Jovicic:** You're welcome Amanda. It's great that we work together this way. I think we've spoken before about the fact that we probably share an audience out there. People that are really engaged with Strata and Strata information, I know like to pick up bits and pieces of information. You go to different places and they'll say, I'm a member of the OCN and I saw Amanda talking here and I saw this. So they're obviously dipping into all of the different sites and so we're more than happy to support the initiative, we think it's a really great idea.

So thank you very much for doing something different again. You're well known for doing things differently in the industry and I think that's fantastic out there when you've got those different voices and any competition in, not that it's competition in a bad way, but when there are people doing things out there, whether it be an industry association or a professional services or education department, somewhere and it just brings everyone forward and lifts the whole industry up I think to a new level and everyone's looking at what everyone else is doing oh we need to do something like that as well and I think we've seen a lot of that over the last few years which I think is great.

**Amanda Farmer:** Yes, owners and managers out there are definitely getting their information from a variety of sources. I've had owners say to me before, Amanda, you told me A, B and C and I think it was in an article that you wrote or it was in our forum and it sends me madly off searching for where I might've said A, B or C and then I say to the owner, no, I couldn't find that. And they say, "Oh no, it was on Nikki's lookup Strata website. I've I read all of Nikki's newsletters and I read your newsletters and I read OCN and Jimmy Thompson and then I read whatever my Strata managers important" so I think it's great that all of these resources are out there.

**Nikki Jovicic:** I agree and we're all for empowering lot owners so that they are more educated when they are attending their meetings. They feel comfortable asking questions now that they might not have asked before because they've related it back to something that they've seen or heard you speak about or read on our site or picked up at OCN or one of the other resources that they're accessing. So I really love to hear those stories. We often answer questions and we have the audience member write back to us and go, oh, we've thought about that but had you considered this part of it? We send it back to the author and they have another look at it another angle there as well and I love those conversations happening between industry members and lot owners.

**Amanda Farmer:** Yes, I do too. I always say I learn so much from what owners and managers are teaching me in response to my teaching of them. To this and Nikki to make sure that we have the most informed industry possible. How can our listeners sign up to receive regular information from Look Up Strata if they're not already signed up? Where should they go?

**Nikki Jovicic:** Thanks Amanda. Just visit us on our website which is [lookupstrata.com.au](http://lookupstrata.com.au) and you can subscribe via the website easily. You can also on the website if you go under our home tab you'll see the Ask a Strata question page. We're happy for you to submit a question if you've got a quick question that you'd like to pop in there. But getting back to the subscriber, we send out a

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national newsletter every Tuesday morning, that's once a week and then we also produce the magazine so we do Queensland and New South Wales magazines monthly and then alternatively every two months Victoria and WA.

**Amanda Farmer:** Perfect. We will make sure that link is in the show notes for this episode. Thank you once again for joining me here on the podcast, Nikki Jovicic. I know you are a busy lady. I'll let you back out into that strata world and look forward to catching up with you again soon.

**Nikki Jovicic:** Thanks so much, Amanda. It's been a pleasure and thank you for having us.

**Amanda Farmer:** Bye for now.

**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 [yourstrataproperty.com.au](https://yourstrataproperty.com.au).

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**YSP Podcast Transcript: 388. From Poor Cousin to Priority: the Future of Strata,  
with NSW Strata Commissioner John Minns**

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