

## **Owners and Tenants Rights and Responsibilities**

Co-operating with fellow residents and considering your neighbours will help minimize disputes and conflicts within your strata building. As an owner, you are required to pay levies, follow the strata scheme's by-laws and make sure common property is not damaged.

Some by-laws include: whether you can keep an animal, parking, noise, activities of children, drying of washing, changing the appearance of a lot, and floor coverings. Tenants are similarly a part of the strata community in any scheme and have many of the same rights and responsibilities. This is particularly the case under the by-laws, as they form a part of their lease. A copy of the schemes relevant bylaws must be given to the tenant by the owner/real estate agent within fourteen days of the signing of a lease.

Besides by-laws, owners and residents have a number of other responsibilities under section 116 and 117 of the Strata Schemes Management Act 1996. These include:

- An owner or occupier must not interfere with any support or shelter provided by their lot, for another lot or the common property.
- An owner must give the owner's corporation at least 14 days written notice before altering the structure of their lot. The notice must describe the alterations.
- The owner's corporation can stop alterations to a lot if it interferes with the common property or any support to the rest of the building.
- An owner or occupier must not interfere with the passage or provision of water, sewerage, drainage, gas or other similar services.
- An owner or occupier must not use or enjoy their lot in such a way which might cause a nuisance or hazard to another resident.
- An owner or occupier must not use or enjoy the common property in a way that may interfere unreasonably with another resident's use and enjoyment of common property of their lot.
- S118 requires an owner who rents out their lot to notify either the secretary or the strata managing agent within 14 days of the relevant details such as the name of the occupant, term etc.

### **What is the Owners Corporation responsible for repairing?**

Common property is all the areas of the land and building not included in any lot. It is jointly owned by all owners in a strata plan. All the owners are collectively called the owners corporation. The owner's corporation is responsible for the management of common property which, amongst other things, includes the boundaries of each lot. These boundaries usually are:

- The upper surface of the floor (but not including carpet), but does include tiles
- The under surface of the ceiling (not including paint)
- All external or boundary walls (including doors and windows) i.e. those that join either another lot or the outside world or a communal area such as a stairwell or foyer

Generally common property includes

- Floors including a ramp or stairway
- Boundary walls including any door, window or other structure within the wall and their working parts
- Original ceramic tiles attached to a common property surface (e.g. floor or boundary wall)
- Pipes in the common property or servicing more than one lot
- Electrical wiring in the common property or servicing more than one lot
- Parquet and floor boards installed at the time the building was constructed
- Vermiculite plaster ceilings
- Magnesite finishes on the floor
- Balcony walls and doors are usually common property if the strata plan was registered after 1 July 1974