

27 March 2020

The Hon John Quigley MLA
Attorney General
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WEST PERTH WA 6005

Email: Minister.quigley@dpc.wa.gov.au

Dear Attorney General

STRATA TITLES ACT 1985 (AMENDED STA) – RESOURCING THE STATE ADMINISTRATIVE TRIBUNAL

The Law Society of Western Australia notes the significant reforms that will commence in the area of strata titles later this year. This will have several resource implications for the State Administrative Tribunal (WA). In particular, the Tribunal will, for the first time, have jurisdiction over and responsibility for disputes:

1. between strata managers and strata schemes concerning termination of management contracts;
2. between sellers and buyers of strata titled property about avoidance of contracts (previously dealt with by the Courts);
3. previously dealt with by the District Court, including disputes about termination of strata schemes and about proposals that require a unanimous resolution or a resolution without dissent; and
4. involving questions of title to land.

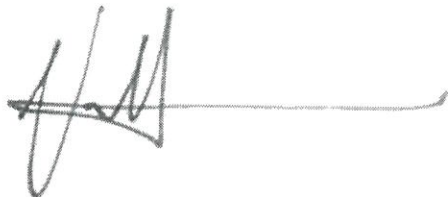
Further, the strata reforms introduce a right for litigants in certain strata disputes to apply for internal review of a decision made by a non-judicial Member of the State Administrative Tribunal.

Finally, and most significantly, the strata reforms will remove the many existing technical limits on the Tribunal's jurisdiction and powers to deal with strata disputes, likely increasing the number of applications.

Having regard to these issues, could you please confirm that the above issues have been identified and the resources that will be provided to the Tribunal at the time the reforms commence.

If you have any queries relating to this matter please contact Mary Woodford, General Manager Advocacy on 9324 8646.

Yours sincerely



Nicholas van Hattem
President

cc Strata Titles Act Reform Team StrataTitlesActReform@landgate.wa.gov.au

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