



**DURAL LEGAL**  
CENTRE

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# STRATA TITLES

## WHAT ARE STRATA TITLES?

A strata title is the most common form of ownership of town houses, villas and home units. A strata plan divides a building and its associated land into lots, each of which has a strata title, and into common property. When you buy a Strata Title unit you get a title deed for air space within a building.

Common property is the part of the land and building which does not form part of any unit, for instance stairways, driveways and gardens.

### What is an “Owners Corporation”?

An Owners Corporation comprises the registered owners of all of the units in a strata plan, and has powers and responsibilities to administer the building and care for the common property.

Those powers and responsibilities are set out in by-laws established under the Strata Schemes Management Act. Some by-laws place restrictions on the behaviour of residents, such as not allowing them to keep pets. Within some limits the owners corporation can alter, add or delete by-laws.

At each Annual General Meeting a committee is elected to administer the day to day running of the strata scheme. In addition, it is common for an Owners Corporation to delegate to a licensed managing agent some of its powers or duties, including collecting levies.

### Are pets allowed in a Strata Scheme?

The standard by-laws provide that animals may be kept in a strata scheme only with the consent of the Owners Corporation. However since that corporation has the power to change the by-laws you should check whether it has done so.

### Can I rent out my unit?

Yes, but you must ensure that compliance with the by-laws is a condition of the tenancy agreement and that your tenant is supplied with a copy of them. You must also notify the Owners Corporation of details, including the name of any leasing agent.

### **How are disputes resolved?**

Disputes between owners or with the Owners Corporation are best resolved by discussion. Should this fail you can contact the Strata Titles Commissioner for assistance on 9229-6122.

### **What is Community Title?**

Community Title is a logical extension of Strata Title, enabling owners of lots in a subdivision to share communal land and facilities. The developer of a community Titles scheme must prepare a Management Statement which sets out the rules governing the use of the shared facilities and of the communal land. The Community Titles laws are more flexible, and allow a wide range of varying types of developments.

### **What is Company Title?**

Another form of home unit ownership is company title, which involves ownership of shares in a company which owns the land and building. Usually an owner of shares is entitled to occupy a designated unit, and in order to sell or to lease that unit he or she will require the approval of the other shareholders.



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