

APPENDIX 1 COMPLAINT MANAGEMENT FORM (CMF)

Allegation of a breach of the Strata Community (NSW) (SCA) Code of Conduct



Strata Community Australia (NSW)
ABN: 74 001 767 997
Suite 102, Level 1, 845 Pacific Highway,
Chatswood NSW 2067

Details of the Complainant

1. Your name:
(individual applicant(s) or corporation)

Your postal address for Notices:

Phone:

Email:

2. Address of your: Strata Scheme
(please tick one) Community Scheme
 Not a Strata Scheme or
Community Scheme (Go to Question 6)

3. a. What is your Strata Plan No. or
Community Plan No. (or DP Number)?

b. If you are in a Community Plan,
how many lots are there in your complex?

c. If you are in a Community Scheme, Community Plan Neighbourhood Plan
is your lot in a...? Precinct Plan Strata Corporation

4. If you are in a Strata Plan, are you lodging Lot owner of lot Original Owner Lessor
this complaint as the...? Owners Corporation/Executive Committee Occupier
OR Other (specify)

If you are in a Community Plan, are you Lot owner of lot Occupier Association
lodging this complaint as the...? Strata Corporation Managing Agent Lessor
 Other (specify)

IMPORTANT NOTE: bringing a complaint against a SCA (NSW) Member (strata manager or strata services member), who holds a contract with the Owners Corporation, without the minuted, express consent of the Executive Committee (EC) or the Owners Corporation (OC), will not typically be considered by the Panel.

The minuted EC or OC resolution to lodge a complaint is **not** required where the circumstances are very unusual and extreme, such as embezzlement or secret commissions, with the acceptance of the complaint being expressly approved by the Panel on a case by case basis.

5. Are you applying on behalf of the Owners Corporation or an Executive Committee of a Strata Corporation or a Community Association?
- Yes
 No

If so, have you attached a copy of the minutes of meeting authorising the lodgement of this complaint?

Yes
 No

If "No", why not?

Details of the SCA Member the subject of the complaint

6. Please provide the name and contact details of the SCA Member who is the subject of the complaint:

Name:

Address:

Phone:

Email:

7. If you are in a Strata Plan, is the other party, the subject of this complaint...?

Lot owner of lot Tenant/Occupier of lot

Owners Corporation/Executive Committee Lessor

Other (specify)

If you are in a Community Plan, is the other party the subject of this complaint...?

Lot owner of lot Tenant/Occupier of lot

Community, Precinct or Neighbourhood Association Lessor

Other (specify)

8. If the SCA Member who is the subject of this complaint is not the Strata Managing Agent or the Secretary of the Owners Corporation/ Association/Strata Corporation, please provide their contact details:

Strata Managing Agent:

Phone:

Email:

Secretary, Owners Corp.:

Phone:

Email:

9. Have you tried to settle this dispute through discussion (where appropriate)?

Yes - If yes, please attach a short written statement the details of that discussion

No - If no, why? attach a short written statement of explanation

Details of the complaint

10. Have there been previous applications involving the same or related dispute?

Yes

No

If yes, please provide details

11. Has this complaint been referred to:

a. Consumer, Trader and Tenancy Tribunal (CTTT)? Yes No

b. A court of law in New South Wales? Yes No

c. Any other authority? If yes, which one(s):

12. What outcome are you seeking by lodging this complaint with the SCA (NSW) Ethics and Professional Conduct Panel (Panel)?

13. If there are any exceptional circumstances which would prevent you from attending a review of your complaint by the Panel in person, please provide details:

14. With the Panel's consent, will you be seeking to address the Panel in person?

Yes

No

Please note: If "Yes" the Panel will inform the other Party and offer that Party a similar opportunity to address the Panel in person. Parties are not permitted to be represented by an agent or legal representative.

15. Is an interpreter needed?

Yes

No

If yes, what language or special needs?

16. What is the complaint you would like considered by the Panel? Please provide attached to this form a concise typed Statement of Complaint addressing the following: Background, Parties, Dates, Issue of Concern/Dispute, Preferred Outcome(s), Signature of Author of the Statement of Complaint, Print name of Author and provide telephone number and email address of the Author.

17. Please indicate the part(s) of the SCA Code of Conduct which you believe has been breached by the SCA Member who is the subject of the complaint:

Person Completing Form

18. Name:

If an Owners Corporation or Association member, your position:

Date:

19. Are you a member of SCA (NSW)?

Yes

No

20. Name of person who completed this form:

Date:

PLEASE NOTE: if you attend a meeting with the Panel please bring relevant documents e.g copies of the strata plan, minutes of the meetings, resolutions, notices and any correspondence between the parties. A copy of this application, any attachments and other information provided by you will be provided to the other party against who the complaint is being alleged. Before you attend a meeting with the Panel please clarify what documents you should bring to that meeting.