

From: s 9(2)(a)
To: [UTAreview2016](#)
Subject: UTA Review 2016
Date: Sunday, 15 January 2017 10:24:15 p.m.

Good Morning,

I am a chair of a small BC (4 titles) which we have just paid (\$1.3M) to fix our building as a result of the faulty building code the Government put in place and I refuse to use the Gov't branded term "leaky." I want to strongly object to treating smaller properties differently to larger ones as the issues we have faced are exactly the same as larger properties, in fact they were worse as we kept "falling through the cracks."

We also had to go to mediation ...what an absolute joke! We were put in a position where we had a totally unqualified "mediator" potentially make an arbitrary decision based on a very clear point of law. It was a terrifying, costly, time wasting and totally unjust process. I get mediation as a process and the benefits^{s 9(2)(a)}

and it is fine process as long as the decisions are not legally binding. Mediators should also be qualified, and not just have the objective of reaching a 50:50 agreement. I wasted two weeks of my life (unpaid), not to mention additional stress, the BC was forced to pay \$5,000 in legal fees...all because one owner outright lied and had the right to make a submission to the Tenancy Tribunal based on absolutely zero facts whatsoever, and had absolutely no case to go to the Tribunal in the first place, yet the case was accepted as valid. What a joke.

Oh, and making BC Chairs and committees liable if that get paid/honorarium on H&S issues – another bad move. Who an earth will want to be a BC Chair. Not me or anyone else. Who will then manage properties....another not a very well thought out solution.(And don't get me started on the total ambiguity about our responsibility on H&S issues in an apartment complex...another piece of farcical "legislation")

So ...the long and short is I will make a submission, and I want to see changes, but the Gov't need to understand that BC committees and Chairs are trying to wrangle emotional issues of owners with flimsy, blurry and outright shoddy legislation, and operational ambiguity. The roles of BC committees needs to be professionally managed as they are dealing with thousands and thousands of other people's money and biggest assets. I don't get why MBIE don't see this, and therefore treat running Unit Titles as a profession where people need to be registered and qualified to do so.

Please keep me informed on the dates of Auckland based workshops, I'll be there with bells on.

Thanks,

s 9(2)(a)
