



Submission on MBIE's proposed amendments to the Unit Titles Act 2010

December 2016

<p>Name of submitter: s 9(2)(a)</p> <p>Organisation: s 9(2)(a)</p> <p>Contact address:</p> <p>Contact phone number: s 9(2)(a)</p> <p>Contact email address:</p> <p><input checked="" type="checkbox"/> MBIE officials can contact me if they have a question about the content of my submission</p> <p><input type="checkbox"/> I wish to remain anonymous in any reporting or submission analysis</p>
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Making a submission

To make a submission, please fill out the submission form below, and send to UTAreview2016@mbie.govt.nz. Both Word documents and PDFs will be accepted.

Alternately, you can download the submission form and post it to:

Unit Titles Act Review
Construction and Housing Markets, BRM
Ministry of Business, Innovation & Employment
PO Box 1473
Wellington 6140
New Zealand

Consultation on the Unit Titles Act finishes on Friday 3 March 2017 at 5pm. Thank you for your submission.

Please see attached letter.

submission on MBIE 5

I am writing this submission not as a Property Professional or a Lawyer but as a victim of the 2010 UTA., and as such I beg your indulgence if my observations are presented in a rather more direct manner. My Computer system will not allow me to complete your Submission Form, and to be honest even if it had been possible I would not have done so . The 2010 UTA is a total disaster and any attempt to reform it can only lead to even more confusion for everyone involved. The entire law is contradictory and rather than a review, New Zealand UTA needs a Renew !. Australia and Canada have tried and trusted laws that seem to provide the clarity required, why not adopt one of these rather than continuing to try to make a 'silk purse out of a pigs ear'?. The 2010 Law is an attack on individual Human and Property rights ,those of us who bought before 2010 thought that we had paid for a freehold property, governed by rules agreed by 100% of the Body Corporate therefore the Sanctity of our homes was assured ,however that all changed with the 2010 law. We now find ourselves with fewer rights over our property than rent paying tenants would have. Should 75% of your fellow owners decide to carry out any work or renovation even within your apartment, you have no rights what so ever and now, since the recent Court judgements you can be charged whatever the BodyCorp. decides to spend, you have to pay and if you find you can't, the Body Corp. can Bankrupt you ,making you homeless!. Was this really the intention of those who formulated this Law?.

The other glaring defect in the 'New Zealand Unit Titles Act 2010' is the fact that any person no matter how disreputable their past can set themselves up as Body Corp.Managers/Secretarys handling hundreds of thousands of Owners funds, providing dubious legal advice ,and encouraging Committees to sometimes feckless expenditures . Even the lowliest Real Estate Agent is required to be governed by a Professional Body . Unfortunately Body Corp. Sec./Managers seem to answer to no one.

This law is so flawed that it is impossible for it to be administered with Justice for the individual, at risk are peoples homes and because of the stress even their lives ,an extraordinary situation for a country which prides itself on defending the rights of minorities. If the Government believes the solution to homelessness rests with more Apartments this law must be removed . Only the very wealthy will consider purchasing a Unit Title once this insidious situation becomes public.

s 9(2)(a)

Unfortunately my
Computer would
not allow me to
complete your forms and
could not accept your
Email address ^{s 9(2)(a)} Hence the
Post. Thank you,