Notice to owners and first mortgagees

of Proposed Expenditure

*Strata Titles Act 1985*

Section 102(6)(b)

Scheme Number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date of Notice: \_\_\_\_\_\_\_\_\_\_\_\_\_\_

The Owners of[[1]](#footnote-1) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (strata company) gives notice to lot owners and first mortgagees[[2]](#footnote-2) of the lots of its intention to spend an amount below (see Total cost of proposed expenditure) which:

* is not expenditure of a kind referred to in section 91(2);
* exceeds the amount allowed per lot in a financial year under section 102(6)(a); and
* is not presently authorised by the strata company budget.

|  |
| --- |
| **Details of Proposed Expenditure** |

Total cost of proposed expenditure: \_\_\_\_\_\_\_\_\_\_\_\_\_\_

Calculated cost of expenditure per lot: \_\_\_\_\_\_\_\_\_\_\_\_\_\_

Expected date of expenditure: \_\_\_\_\_\_\_\_\_\_\_\_\_\_

Amount to be paid from:

[ ]  **Administrative Fund** / [ ]  **Reserve Fund** / [ ]  **Other** [please specify below]

|  |
| --- |
|  |

Include the following where applicable:

|  |
| --- |
|[ ]  Timeframe for completion. |
|  |  |
|[ ]  Breakdown of cost of labour, materials, personal property. |
|  |  |
|[ ]  Description of proposed work to common property or description of personal property. |
|  |  |
|[ ]  Drawing, diagram or plan of the proposed work on common property (if applicable). |
|  |  |
|[ ]  Particulars of at least 2 quotations or tenders (particulars must be provided). |

Describe benefits of proposed expenditure:

|  |
| --- |
|  |

If you object to this proposed expenditure, the strata company must receive your objection in writing at the address below, within 14 days of your receipt of this notice.

Return Mail: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Return Email: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

The strata company may make the expenditure if objection to the proposed expenditure has not been notified in writing to the strata company by the owners or first mortgagees of:

1. 25% or more of the lots in the scheme, or
2. lots of which the total unit entitlement is 25% or more of the sum of the unit entitlements of all the lots in the scheme.

If you and the first mortgagee of your lot object to the proposed expenditure, the strata company must disregard your objection.

**Execution**

|  |  |
| --- | --- |
| 1. Common Seal[[3]](#footnote-3)

Date of Execution: \_\_\_\_\_\_\_\_\_\_\_\_\_\_The common seal of[[4]](#footnote-4)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ is fixed to this document in accordance with the *Strata Titles Act 1985* section 118(1) in the presence of: | [AFFIX COMMON SEAL HERE] |
| Member of Council[[5]](#footnote-5): | Member of Council5: |
| Signature | Signature |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Full Name | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Full Name |

**OR**

|  |
| --- |
| 1. No Common Seal3

Date of Execution: \_\_\_\_\_\_\_\_\_\_\_\_\_\_Signed for and on behalf of4 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ in accordance with the *Strata Titles Act 1985* section 118(2): |
|  |
| [ ]  Member of Council / [ ]  Strata Manager of strata company[[6]](#footnote-6): | [ ]  Member of Council / [ ]  Strata Manager of strata company6: |
| Signature | Signature |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Full Name | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Full Name |

1. To be completed as “[scheme name + scheme type + scheme number]” under s.14(2) of the Act, e.g. Pretty Ponds Survey-Strata Scheme 12345. [↑](#footnote-ref-1)
2. First mortgagee of a lot in a strata titles scheme means a registered mortgagee who is first entitled in priority and who has given written notice of the mortgage to the strata company for the scheme – section 3(1) of the Act. [↑](#footnote-ref-2)
3. See SIG-14 for execution of documents by a strata company. [↑](#footnote-ref-3)
4. Insert the name of the strata company (i.e. The Owners of + scheme name + scheme type + scheme number), e.g. The Owners of Pretty Ponds Survey-Strata Scheme 12345. [↑](#footnote-ref-4)
5. The common seal must be witnessed by 2 members of council. [↑](#footnote-ref-5)
6. Select whichever is applicable. [↑](#footnote-ref-6)