

# Transitional arrangements

## Overview

**While the majority of the amendments to the Unit Titles Legislation (Amendment) Act 2020 commence on 1 November 2020, there are a few changes that are subject to transitional arrangements. These arrangements will allow a further adjustment period for Owners Corporations to prepare and implement changes where required.**

## Special Privileges

From 1 November 2020, Special Privileges for exclusive use of the common property by an owner (or group of owners) for a period of 3 months or longer will require a Special Privilege Rule to be added to the corporations Rules.

Any Special Privilege over common property that has previously been granted will terminate on 1 July 2021 unless the Owners Corporation grants a Special Privilege Rule (and registers the rule) before that date.

For example, this would apply to an owner who was granted a Special Privilege to house their air conditioning condenser on the common property that was granted before 1 November 2020. Other owners who may be impacted include commercial units with exclusive access to toilets or other specific amenities, and vice versa to residential owners who may have exclusivity to residential amenities (such as pools or gyms) to the exclusion of commercial units.

Refer to the Rules Fact Sheet for more information.

## Maintenance Schedules and Plans

Developers will be required to provide comprehensive maintenance schedules for all new Units Plans registered from 1 July 2021. For existing Units Plans registered prior to 1 July 2021, the Owners Corporation are not required to prepare their maintenance plan until after the second annual general meeting of the Owners Corporation after commencement (1 November 2020).

A similar transitional arrangement was implemented when Sinking Fund Forecasts were mandated following the 2009 strata reforms.

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## **Pet Rules**

From 1 November 2020, Owners Corporations will have until their second annual general meeting to decide whether to adopt the new pet friendly rule, determine their own pet friendly rule, or retain the consent process prescribed under the Act for the keeping of pets. If the Owners Corporation does not make a determination before this time (or wish to transition naturally to the new default pet rule), the default pet rule as prescribed under the Unit Titles (Management) Regulation 2011 (schedule 1, rule 1.5) will automatically apply from the day after their second Annual General Meeting post 1 November 2020.

Refer to the Pets Fact Sheet for more information.

## **Audit of owners corporations accounts**

The new requirement for Units Plans with more than 100 units, or an annual budget of more than \$250,000, to have the financial accounts audited will apply from the second Annual General Meeting held after 1 November 2020.

Refer to the Finances Fact Sheet for more information.

