

The RAAS Report

December
2004

It's really hard to believe that Christmas has come round again! Unlike Charles Dickens, I am not one for remembering the ghosts of Christmas's past, but I must confess I do remember 2003.

In December 2003, **RAAS RIGHTS** was just a youngster but had kicked some very big goals in an amazingly short time, and all we little **RAASers** were tickled pink.

They say that to succeed in business, *all you have to do is invent a better mousetrap!*

The **RAAS** philosophy is a bit like the better mousetrap. We help RUMs help themselves by enabling the on-site manager to offer a professional and ethical sales service in competition with outside agents (but do it better), and provide RUMs with the newsletter & market research material that helps identify the RUM as a believable real estate advisor.

We also help people sell their Management Rights business.

There is an old principle in Management Rights sales that if you keep knocking on doors, and you knock on enough doors, you will find someone who wants to sell, and get a listing. The flaw in this system is that most of the salespeople who are knocking on your door are simply saying, **"If you want to sell your business, pick me, pick me!"**

In **RAAS** we have tried to go a bit further and provide back-up, advice, support, items for your newsletters, etc etc.

We think those old days of **"pick me, pick me"** are dead and gone! It's a tough world out there, and most RUMs want real support from someone who understands the business; they want the ability to offer property-sales services to their landlords; they want a sounding board in times of strife; they want someone to help with their newsletters; they want someone to examine the market research & tell them what they

should be using; they want to feel they belong to a big & fast-growing group of property-professionals --- and, sometimes, they do want a shoulder to cry on!

No wonder **RAAS** has caused a stir! Talk to any **RAAS** member and you will find out that in this last year we have, in the main, delivered what we have set out to do.

Enough of these reflections on Christmas past!

How about some practical stuff!

A **RAAS** member wrote to me recently about a problem he was having with an owner-occupier who would not obey the By-laws.

If this was a tenant, my **RAAS** member said, he would issue a Notice to Remedy Breach, and that would be that! Do owner-occupiers enjoy some special privilege that tenants do not?

Can this owner-occupier thumb her nose at the Body Corporate Committee?

This is not the first time I have had this question raised. We all manage a complex for landlords and owner-occupiers alike.

Both categories of owners help pay the caretaker's salary, but many of us seem to have come across this problem with owner-occupiers who think that By-laws are something for tenants only!

Rather than impose my "bush lawyer" opinion on you, I have asked Frank Higginson from Hynes Lawyers to comment on the latest incident.

"The committee has a statutory obligation to enforce the by-laws. It can't just leave it lie when a breach is reported. Unfortunately, the teeth in the Act aren't as sharp as they should be but there are still teeth. A by-law contravention notice is the first step, and if the breach continues after that, an application can be made to the Magistrates Court for enforcement - this is where it should have

ended up. Failure to then comply can expose the owner to pretty severe financial penalties.

But a committee cannot simply ignore a breach when they know of it."

Thanks, Frank.

If you have a particular problem in this area, Frank invites you to email him on fch@hyneslawyers.com.au.

INTRODUCTORY SEMINARS & INFORMATION FOR MANAGEMENT RIGHTS

RAAS RIGHTS has always recognized that those of us lucky enough to have found (and be part of) this wonderful industry have an obligation to spread the gospel of Management Rights to others less fortunate.

Therefore, **RAAS** is proud to announce the formation of **RMEG** (pronounced Armeg) --- **Resident Manager's Education Group** --- a grouping of expert industry professionals from fields such as law, accounting, finance and brokerage, who will conduct regular Information & Advisory Seminars to ensure that newcomers to our industry don't get into trouble.

RMEG members live & breathe Management Rights, and as all experienced RUMs know, the best piece of advice any newcomer can get is "Only deal with professionals who specialize in the Management Rights industry".

More announcements about RMEG in the near future!

In closing, the directors and staff of **RAAS RIGHTS** take this opportunity to wish all of you a happy, safe and prosperous holiday season.

If you would like to comment on anything you have read in the RAAS Report, please send an email to mike@raas.com.au or write to The RAAS Report, 13/17 Victor St., Runcorn Q 4113.



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