

“That Was the Year That Was!”

It is such a common statement these days as to be a cliché, but that won't stop me from saying it anyway, "It's Christmas already; where the hell did the year go?"

And what a year it was! Changes to PAMDA; changes to BCCMA; changes in Adjudicator's interpretation of the legislation; changes again because rulings were overturned on appeal --- how much more change can we absorb?

But then, as that great American writer Washington Irving (1783 - 1859) author of *Rip Van Winkle* and *The Legend of Sleepy Hollow* once observed "There is a certain relief in change, even though it be from bad to worse; as I have found in travelling in a stagecoach, that it is often a comfort to shift one's position and be bruised in a new place!"

We are, of course, fortunate that unlike poor Mr. Irving, our backsides are unlikely to be bruised by all of the changes of 2006. Indeed, as I write this **RAAS Report**, we await the legislation that will finally usher in a Code of Conduct for Body Corporate Committees.

Wow! Talk about overdue!

Most committees are diligent and try their best to do a good job. However, most of my readers will have heard horror stories from time to time about incompetent committee members. I guarantee you have not heard as many as I have! As the first line of advice for around 200 RAAS members in Queensland, I could relate some stories that would curl your hair!

These anecdotes range from merely well-meaning incompetence, to the downright racist!

In one memorable example, we had to have

a solicitor fire off a letter threatening defamation action against a particularly obnoxious chairperson. This, of course, has to be an action of last resort, because when the situation has plumbed such a depth, it is normally irretrievable! Either the chairperson or the manager has to go --- otherwise a meltdown of Chernobyl proportions will be the result.

In this case the solicitor's letter put the chairperson back in her cage long enough for us to sell the afflicted manager out. We also gave advice to the incoming manager on how to weigh up whether or not this particular chairperson was acting in the best interests of the whole Body Corporate. There is nothing in the law that prevents any owner in the complex (including the RUM) from lobbying for a change of personnel on the committee.

You can't "sack" the person from the committee during the period between AGM's, (without an EGM) but you and the other members of the Body Corporate can plan for the future.

In an article I wrote for this journal last month, I talked about the similarities between RUMs and politicians. This referred to the way in which both politicians and RUMs sometimes have to count and organize the "numbers".

Normally, a disruptive committee person only remains there because of the apathy (or ignorance of what is transpiring) of the absentee members of the Body Corporate i.e. your absentee landlords. Nobody should know your complex better than you; nobody should have a better handle on what is best for the Body Corporate as a whole, than you --- so if you have a committee person who does not act in the best

interests of all, it should only be for one year. It should be your duty to alert the other members of the Body Corporate of the situation and make sure that the disruption ceases at the next AGM.

I hesitate to use the word "coup" because we all know that coups only happen in places like Fiji and Thailand, don't they!

Hopefully, a Code of Conduct for committee members may make much of what I have written above, superfluous as we move into 2007!

2006 was a great year of growth for **The RAAS Group!** RAAS members now stretch from Port Douglas in the north to the NSW border in the south and number round the 200 mark! Many are active in the marketing of units in their complexes; many are not. Some, I am sure, just enjoy the security of being part of a group where a helping hand and a bit of advice can be obtained at short notice, and at no cost.

Our management rights sales arm, **RAAS RIGHTS**, has in three years, risen from being the new kid on the block to being a major player in MR sales from one end of Queensland to the other! This could not have happened without the dedication of our super team of consultants, and for this we thank every one of them!

We all look forward to 2007 with great confidence.

Merry Christmas and a Happy New Year from all at RAAS!

*If you would like to comment on anything you have read in **The RAAS Report** please write to us at PO Box 1325 Sunnybank Hills Q 4109 or send an email to mike@raas.com.au.*



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