29 August 2023

Te Tūāpapa Kura Kāinga - Ministry of Housing and Urban Development
Te Kāwanatanga o Aotearoa - New Zealand Government
PO Box 82
Wellington 6140

Email: unittitles@hud.govt.nz

RE: Unit Titles Act 2010 Regulations Discussion Paper Submission

SCA (NZ) welcomes the opportunity to provide feedback into the UTA Regulations 2023 as a key stakeholder.

SCA (NZ) is the peak professional association for the New Zealand Body Corporate and Community Title Management industry and was formed in 2016 to provide a forum for improved standards and education in the industry.

Membership includes body corporate managers, support staff, committee members and suppliers of products and services to the industry. SCA proudly fulfills the dual roles of a professional institute and consumer advocate.

SCA (NZ) is a chapter of the Strata Community Association, which represents practitioners throughout Australasia. The Strata Community Association has formal links with the Community Associations Institute of the USA.

As the growth of apartment and strata living has intensified over the last decade, the strata management strata services industry has grown in lock step to serve it. Strata managers navigate through a maze of legislation and regulation ranging from actual strata specific legislation, regulation, workplace, health and safety issues and building codes as well as measures applicable to the management of body corporate funds.

A key driver of SCA (NZ) is to improve the standard and professionalism of the body corporate management industry.

Section 1: Information Requests

SCA (NZ)'s strongly preferred option is Option 1.

We note the goal of the new requirement to keep documents, as stated, is to widen the regulator's current powers and it to request relevant for parties for the purpose of an investigation.

We expect the regulator will use these powers to request information if it has become aware of a suspected or actual breach of obligations under the Unit Titles Act or associated Regulations (UTA), by the Body Corporate, an officer of the body corporate, a unit owner, a Body Corporate Manager, or some other party.

Option 1, as listed in the discussion document, in our view, provides an incredibly sufficient amount of information and documentation to support the regulator's activities to undertake this requirement.

As stated on Page 11 of MBIE's discussion document, the documents that are required in Option 1 show compliance with operational, financial and governance requirements of the UTA, which should be adequate to reasonably undertake this kind of investigation.

Most noteworthy among the documents that should allow a regulator to undertake these activities, are the access in the case of an investigation to:

- Details of all body corporate funds and bank accounts
- Financial statements and audits
- Assessment of ownership interest
- Documents relating to utility interest decisions
- Levy information
- Long-term maintenance plan and the next review date
- Remediation, earthquake-prone and land defect reports
- Register of all unit owners
- Notices, agendas and minutes of body corporate and committee meetings
- Contact details for any current body corporate or committee chairperson or current or past body corporate manager
- Notice of designated resolution
- Notices of delegation from the body corporate to the body corporate committee
- Report from the body corporate committee to the body corporate on the exercise of the duties and powers delegated to it
- Details of all current insurance policies
- Details of any proceedings in any court or tribunal that the body corporate is involved in
- Written agreement of body corporate managers' terms of employment
- Conflict of interest register for the body corporate committee
- Conflict of interest register for the body corporate manager
- Service contracts.

SCA (NZ) believes that the above should be enough to fulfil the activities, as stated.

In addition to our preference for Option 1 as stated above, we have some feedback as an additional note regarding Options 2 and 3, and some of the difficulties in fulfilling their criteria.

Retaining and requesting correspondence

Option 3 - keeping correspondence for one or all of the listed requirements in Option 2 in this proposal paper is unworkable and creates a privacy risk. Further the costs to file and store them for at least three years and then compile them on request would be untenable for consumers and owners.

Our members have expressed concern that the correspondence for any single matter can be extensive and can be held by Committee members (past and current) and the Body Corporate Manager. Compiling all correspondence from various parties on a matter, to then provide it to the regulator, is unworkable and unrealistic. Although as an industry body we represent professional body corporate managers, we are also very concerned with how a complex (or Chair/Committee) without a professional manager would be able to comply with such a request, as they tend to have far less sophisticated filing and storage systems and resources.

We note Option 2 contains correspondence in relation to consultation with building experts on the long-term maintenance plan. We understand the regulator may wish to request this to ensure compliance by a "large unit title development" who must consult with a building expert when preparing and reviewing their plan (unless they resolve not to). The long-term maintenance plan itself, or an advice report provided by the building expert, is sufficient evidence of whether they have consulted with a building expert. Therefore, correspondence around this matter is not required.

We see it as the role of the Tenancy Tribunal or Courts to request copies of such correspondence if the matter appears before them and they require more information, or via the formal discovery process that happens in the higher Courts.

Over time, Committee members and Body Corporate Managers change, which means past correspondence is not obtainable from those past officers, making the provision of correspondence to the regulator even more problematic.

Option 2 - There are some information requirements within Option 2 that are more workable than others, and if the Ministry decides on the balance of feedback to proceed in any direction that includes more information than Option 1, we strongly recommend that excludes correspondence and relates only to documents that the body corporate already has an obligation to prepare, as listed in Option 2.

We would be happy to provide further feedback on any document you consider adding to Option 1.

Our recommendation - At this stage, however, we strongly view Option 1 as adequate and provides the right balance of information for the regulator's purposes and the related costs borne by the industry to manage this.

Electronic Format - We wish to stress that the regulations need to include an express allowance to hold the prescribed list of documents in electronic format, and that they can also be supplied to the regulator in electronic format.

Section 2: Electronic Voting and Remote Attendance

SCA (NZ)'s strong preference is Option 1, with some support for limited Option 2 areas

The major overarching principle that reinforces SCA (NZ)'s preference for Option 1 is that the body corporate should be able to determine what is appropriate for their circumstances, and retain the flexibility to undertake actions as they see fit.

Volunteering for, or managing a body corporate has challenges in terms of compliance, attendance and knowledge of legislation and regulation that can be aided by more flexibility running meetings.

A poor outcome for bodies corporate would be less attendance and desire to volunteer, as a result of greater complexity and compliance requirements, or votes and meetings not achieving quorum due to technicalities in identify verification not being met.

What the strata sector noticed, not only in New Zealand, but in each state and territory in Australia, was a greater interest in, and attendance at body corporate meetings during COVID, as people were allowed to join electronically in greater numbers for the first time.

As noted at the Auckland consultation meeting, there is resistance to the mandatory hybrid option due to costs that can be incurred unnecessarily as a result, and we strongly believe this needs to be addressed sooner rather than later. We acknowledge that hybrid meetings are currently required under the principal act, and the principal act cannot be changed via new regulations. Therefore, we ask that government undertakes a separate review of the hybrid meeting requirement in the principal act with a view finding a more workable approach, such as making it the discretion of the Chair or Committee.

Increased attendance at body corporate meetings due to owners having a legal right to attend remotely has been a brilliant outcome for the sector, resulting in more people participating in the decisions that affect where they live than ever before**. We need to ensure that any regulations being passed do not hinder this great development.**

An example from another jurisdiction

This principle of body corporate flexibility and determinism is consistent with processes for body corporate meetings and procedures in other jurisdictions. In the ACT for example, the ***Unit Titles (Management) Act 2011*** outlines:

Part 2.2 Executive committee—meetings and procedures

2.8 Meetings of executive committee

(1) An executive committee may meet for the conduct of business when it decides, and may adjourn and otherwise regulate its meetings as it considers appropriate.

(2) An executive member may call a meeting of the committee by giving to each other executive member not less than 7 days written notice stating the business that the member proposes to bring before the meeting and the time and place of the meeting.

(3) The executive committee may authorise a meeting to be held using a method of communication, or a combination of methods of communication, that allows a

member taking part to hear or otherwise know what each other member taking part says without the members being in each other's presence.

Examples: a phone link, a satellite link, an internet or intranet link

(4) A member who takes part in a meeting conducted under subsection (3) is taken, for all purposes, to be present at the meeting.

Part 3.1 General meetings

3.1 Conduct of general meetings

(1) An owners corporation for a unit plan may hold, adjourn and otherwise regulate general meetings as it considers appropriate, subject to this schedule.

(2) The owners corporation may authorise a meeting to be held using a method of communication, or a combination of methods of communication, that allows a member taking part to hear or otherwise know what each other member taking part says without the members being in each other's presence.

Examples: a phone link, a satellite link, an internet or intranet link

(3) A person who takes part in a meeting conducted under subsection (2) is taken, for all purposes, to be present at the meeting.

Electronic voting definition

We support Option 1 - While after discussion, we are happy for postal votes to be included in the definition of an electronic vote, it needs to be made very clear that submission of a vote via a postal vote must be received at a time set by the committee and at a minimum 24 hours before a meeting. It will be unworkable to receive email postal votes up until and during the meeting and up until the motion is voted on, as you can imagine trying to monitor this and then include these in vote calculations on motions at the last minute is impossible to police or logistically manage, especially where the matter being voted on is contentious.

As the UTA currently stands, postal votes must be submitted by a date/time before the meeting as recorded in the postal voting form issued with the agenda. We are asking that this position be retained, notwithstanding the inclusion of postal votes in the definition of electronic vote.

RSVP requirement

We support Option 1 - Some body corporate managers use this to help plan attendance numbers for booking accommodation. We do not support this being a legal requirement as that raises too many potential issues and disputes and does not sit consistently with the current legal position that hybrid meetings are required regardless of RSVP indications. However, we ask that the RSVP be re-visited alongside a government review of the hybrid meeting requirement, as requested above.

Information to be provided regarding access to remote meet attendance and electronic voting (during a meeting) & information regarding voting process for pre-meeting voting

We support Option 1 for both of these (which we note are the same as Option 2). This is all workable, reasonable, and necessary.

When access to pre-meeting electronic voting must be provided

We support Option 2. Access to electronic voting should be made available when the agenda goes out, even if sent out prior to the minimum timeframes in the UT Regulations.

Notification that a proxy wishes to attend a meeting remotely

We support Option 1 (which we note is the same as Option 2).

However, we have had feedback that the 24 hour period is restrictive and does not allow for a proxy to indicate attendance remotely closer to the meeting start time/day, e.g., they might indicate early on the same day of the meeting. That would be too late if there is a 24 hour cut off which seems unfair. Therefore, we suggest considering removal of the 24 hour period and stating that it is for the Body Corporate to set the cut off day/time, just as they have the right to do so at the moment regarding the submission of postal vote forms.

Amount of time prior to a meeting that a pre-meeting electronic vote must be cast

We support Option 2. The body corporate needs to be able to decide for itself when a pre-meeting electronic vote must be cast which is permitted under Option 2. This is already the approach for postal votes under the current UTA and Regulations. This allows time to check that those units voting pre-meeting are financial to vote, to telly votes, run preliminary quorum calculations and so on before the meeting commences.

Allowing an electronic pre-meeting vote to be cast right up until the meeting starts under Option 1 is unworkable and unrealistic. The preparation work prior to a meeting is significant and Option 1 would add significant work to be carried out immediately on commencement of the meeting, guaranteeing that the commencement of every general meeting would be significantly delayed.

Identity verification:

We support Option 1.

If identity verification is too prescriptive it will become unworkable for bodies corporate to hold meetings and achieve quorums in a timely manner, and will place an unreasonable administrative burden, and potentially significant cost on bodies corporate.

Under current provisions, the body corporate chairperson, or the Body Corporate Manager running the meeting, does not ask for photo identification from participants that attend in person or by remote means. The issue of impersonation at AGMs and other body corporate meetings is not a current or past concern.

As offered at the Auckland consultation meeting, our President is happy to facilitate attendance at General and Committee meetings so Ministry officers can experience the practical aspects of a meeting.

After consultation with our body corporate manager members and other suppliers, the following concerns and impracticalities have been raised regarding over-regulating this area, and particular concerns raised over the need to only allow emails and phone numbers in the owners register to be used for remote attendance. The following concerns were very evident:

- The body corporate, led by its chairperson and assisted by its Body Corporate Manager, should not have the burden of verifying the identity of all owners attending a meeting remotely. There is no such requirement around owners attending in person, so this should not be imposed on remote meeting attendance.
- The body corporate, chairperson and professional manager should be able to rely on the owner of a unit ensuring themselves that they are represented by the right person(s) at a general meeting. Making the body corporate check this and ensure that only emails and phone numbers from the owners register are used by the owner when attending remotely is taking matters a step too far. It places an unwarranted obligation on the body corporate, its chair, and the manager. With that obligation comes legal liability if the body corporate, chair, or professional manager makes an error. Such liability should be between the unit owner and any person that purports to represent that owner standing or authority to do so.
- Requiring an owner to only use the email or phone number from the owners register to attend remotely, and the body corporate needing to police that (via the chair and manager), is unworkable in practice. A unit may be owned by more than one person resulting in several emails in the owners register. Which email is to the email used? An owner may phone in to a general meeting using a different phone number from that in the owners register (due to travel or other reasons), and they would be stopped from attending on the basis they have called in from the wrong number. A group of unit owners might meet together and attend a meeting remotely via video means (which could be necessary due to limited internet connections etc). Between them they hold a number of votes, but if they must use their own email to attend remotely then they cannot attend in this manner. They would have to all attend via separate video connections.
- In practice an owner does not attend a meeting remotely via their email address (e.g., using say Zoom, Google Meet or Teams - being the regularly used software platforms). The owner will receive the remote meeting link via their email in the owners register, but in practice they do not need to log in using that email. The body corporate, Chair and professional manager should be able to rely on emailing the video link to the email in the owners register as being sufficient. They should not then have to check that the owner has then entered the meeting remotely via that same email. This is not workable.
- Requiring solely emails and phone numbers to be use also limits the use of any other technology. Already we are aware of voting tokens being used in the industry which are probably more secure than emails or phone number.
- Having to verify the identity of every person in attendance at a meeting before it commences is a very time consuming task and one that we see as being fraught with potential disputes. For large complexes there can often be 100+ persons attending remotely making identify verification via email used or any other means unwieldly.
- Usually professional managers will ask those attending remotely to write their unit number in the “name” function within the remote software, and make further enquiries of those that do not. This way the manager establishes what units are present remotely to help ascertain if a quorum has been met and to identify and calculate unit voting as the meeting progresses. The manager will keep a record of remote attendees as a type of attendance register. This mirrors what is done in practice for “in person” attendees. We do not support the chair, or professional manager, needing to go any further than that in order to identity a unit in attendance, whether by remote means, or “in person”.

This supports the need for bodies corporate and their chairs, alongside their professional manager, needing to have the ability to ascertain for themselves a means of identifying each unit in attendance via remote means, to be known the "reasonable measures" taken by that body corporate – as per Option 1

Autonomy and flexibility are needed to enable different technologies to be used and to ensure the ultimate onus sits with the unit owner to ensure the correct/authorised person(s) attends remotely.

We would not want the requirements around remote meeting attendance verification to be any more onerous than "in person" attendance verification, with the latter being very flexible at present with no prescriptive requirements.

Guidance

We also support the suggestion under Option 2 (page 21 of the discussion paper) that the following guidance be provided by government to the industry:

- Guidance issued to make clear that the chairperson should engage with and identify all proxy holders attending remotely and establish which units) they represent for voting purposes. Note – this should be referring to the *meeting* chairperson, and this should also apply to proxies attending in person.
- Guidance issued to make clear that the chairperson should engage with and *ascertain* all co-owners and establish which owners whether in person or remote, shall vote for the unit. Note – again this should be referring to the *meeting* chairperson, and it should refer to ascertain, not identify.

We also recommend the following guidance is included, which is not covered in the discission paper at all:

- Guidance issued to make clear that the meeting chairperson should engage with all groups of owners attending together by remote means, to establish which units they represent for voting purposes.
- Guidance to make it clear that a vote by an owner (or their proxy) attending in person or remotely can be accepted if made by hand, or verbally, or by paper or online ballot or in writing within the remote access software (e.g., a Zoom ballot or Zoom chat box), or by some other means available in the remote access facility (if any). This means the way in which attendees currently indicate their vote is validated helping to avoid disputes.

It would be of great assistance to the industry to have this guidance available and promoted by government, enabling bodies corporate and their professional managers to align their processes with government generated guidance and recommendations.

This guidance should be available to **all parties** who may attend a meeting, including unit owners wishing to participate and should include relevant information to this process such as the appointment and rights of proxies.

Whether or not a pre-meeting electronic vote can be changed & Validity of pre-meeting electronic vote in the case of a reconvened meeting & Status of an electronic vote of a resolution is substantially changed at a general meeting

We support Option 1 for all of these (which we note are the same as Option 2). This is all workable, reasonable, and necessary. They are consistent with the approach already taken with postal votes in the UTA and Regulations.

Post meeting – storage of votes and proxy forms

We support Option 1 that there are no such requirements in the regulations. The meeting minutes record the voting result and also record proxies and postal votes received and they can be relied upon as a representation of the voting result. There are no "votes" to be stored as is suggested under Option 2 (other than postal voting forms), as the voting could have taken many forms at the meeting (via in person, those attending remotely ad postal votes) and this requirement would be difficult or impossible to fill based on the many different ways voting should be able to occur.

Further consultation

We would welcome the opportunity to discuss Option 1 with you further, as well as the aspects of Option 2 which we support above. Especially under the 'identity verification process' requirements, to talk through what 'reasonable measures' are under Option 1, and inform the Ministry of some of the best practices that are already used in the strata management space.

For example (as noted above), voting tokens have been used in strata management in New Zealand effectively, and provide a robust measure to ensure voting and identification integrity.

There is a variety of strata software used within meetings, many systems of which have considerations for electronic voting built in. As with the recommendations noted above, SCA (NZ) would be happy to provide additional information on these systems, as well as others, that can be used to achieve verification without prescriptive methods enacted.

There are constantly new communications platforms and methods of communications proliferating, and it would be unworkable to restrict options for participation based on prescriptive conditions.

- Assuming the Ministry is open to mixing aspects of both Option 1 and Option 2 to make a workable regime, as per our recommendation above, we would be happy to answer any questions, discuss further, review any proposed drafts and provide feedback.

Education

The Ministry should work with bodies corporate and SCA (NZ) and other stakeholders to educate bodies corporate around how best to undertake their requirements for remote attendance and electronic voting. This would need to be undertaken no matter which option is chosen, and the focus on best practice, in SCA (NZ)'s opinion, rather than prescriptive requirements, will lead to more engagement and better engagement and outcomes in general meetings.

SCA (NZ) strongly suggests following Option 1, together with the guidance points under Option 2 set above

Section 3: Legal Costs in the Tribunal

Ultimately, SCA (NZ) would like to see the current levy recovery regime unchanged. However, given the discussion paper asks for feedback on the preference between fixed costs and scale costs we give our view on that below. We would rather however that no changes were made at all.

SCA (NZ)'s preferred option is Option 2 – Fixed Costs.

However, SCA (NZ) recommends increasing the maximum ceiling of the fixed costs to $3,000 plus GST and disbursements, instead of $1,800 as proposed in the discussion paper. There are many steps and a lot of time investment to check body corporate minutes, invoices, levy raising etc and prepare these application documents, attend a hearing, and undertake all related work, and $3,000 is a far fairer figure, based in the experience of our members.

Although a levy recovery proceeding in the Tribunal may be undisputed resulting in a perception that the matter is straightforward and therefore the legal fees must be low, that is not the case in practice. There is still a significant amount of work involved to prepare and file application.

It is important we note that fixing legal costs at $3,000 (or any lower amount) will not, we expect, cause law firms to reduce their fees accordingly. Instead it will simply mean the Body Corporate itself (i.e., all owners that have already paid the levies on time) will need to pay the short fall between the fixed amount and the actual legal fees.

Inflation

We also query the mechanism to future proof this fixed fee? There has to be a requirement for government to increase this fixed figure over time to allow for inflation and cost increases etc. Legal fees and related costs (e.g., BC Manager fees) increase with inflation. Setting the fixed fee indefinitely with no increases seems an extremely unfair burden on the body corporate. The body corporate will be the party that pays the shortfall between actual and fixed fees, a shortfall that will only increase exponentially over time if not regularly adjusted upwards.

Defaulting owner should be liable for the cost burden

SCA (NZ) believes more burden should be placed on the defaulter than is being currently put forward. There is a legal duty on the defaulter to pay their levies. This is a non-negotiable legal requirement under the UTA (on the assumption the levy is valid in all respects). If an owner does not pay their levy on time, the other members of the body corporate should not be unnecessarily burdened by actions they have not been at fault for and should not have to pay costs incurred by the body corporate to recovery the unpaid levy through the Tenancy Tribunal. The costs incurred should the sole responsibility of the owner at fault.

Scaled costs are used to help parties to a dispute decide whether it is cost effective to go to trial or to settle. Unpaid levy invoices are not a matter that can be "settled" like other disputes. Levies are required to operate a complex and meet its statutory obligations. All unit owners have a legal obligation to pay their ownership interest (or utility interest) share. Therefore, levy "settlements" do not occur, and so scale costs are not appropriate in our view.

Activities in table 5

We do not agree that table 5 adequately covers all steps and related costs in a levy collection process.

We support the list set out at pages 28-29 in the Auckland District Law Society 4 August 2023 submission as a comprehensive list of steps and costs.

Final comments

Reasonable legal costs are recoverable from the defaulting unit owner under section 127 UTA. Case precedents at Tribunal level and the upper courts have established what reasonable costs means and how they are established. The adjudicator or judge has ample guidance from past cases to apply this section to each levy recover case before them. They have power to reduce legal costs sought if they consider them unreasonable taking into account the specific factors to hand.

Our members have not indicated any desire to change this approach. What they have indicated is a concern that fixing costs will simply mean the body corporate itself will have to pay more toward funding levy recovery costs, which is a very disappointing outcome.

There could be equitable and effective financial hardship provisions in place when required, however body corporate levies should not be seen as any different from council rates or a bank mortgage – they need to always be paid, and if they are not paid, they need to be recovered by the parties who are owed, and the legal costs of doing so paid by the defaulting party.

Section 4: Other Regulations

Proxy Voting - Proposal 4.3

SCA (NZ)'s preferred option is Option 2: the Regulations to confirm the chairperson has no responsibility to ensure the proxy direction is followed. Any vote made by a proxy holder who is validly appointed is a valid vote.

SCA (NZ) believes the burden of responsibility of following a voting direction on a proxy form should rest between the unit owner and the proxy holder, and should not be the responsibility of the meeting chairperson to check. In our view, the direction is treated as a matter between the unit owner and their proxy.

To require the meeting chairperson to constantly check that every proxy at a meeting with a voting direction is voting on every motion in the manner set out in in that proxy direction, is unworkable. For large complexes with hundreds attending a meeting this is unrealistic and simply not possible.

We also see Option 2 as enabling a proxy to have ability to vote differently from the voting direction if needed, enabling some flexibility where that is appropriate, e.g., if more information is shared at the meeting better informing owners of the situation being voted on, or the motion is changed at the meeting. Then the proxy can vote based on the new information, or the changed motion, and that vote might differ from the original direction. The alternative is to not allow the proxy to vote differently, but this defeats the purpose of having a proxy present and turns the vote into a postal vote.

We agree that if an owner is not confident that their proxy holder will follow their directions, or not vote in the owner's best interest, the owner should consider an alternate way of voting such as a postal vote, a pre-meeting electronic vote (once in force) or attending the meeting themselves via remote means or in person. We recommend a note be added to the prescribed Proxy Form in the UT Regulations that if the owner fills out the voting direction column on the proxy form the proxy may vote differently, and so they need to carefully consider who they appoint as their proxy.

We also ask that Notes 7 & 8 added to the MBIE Proxy Form template in May 2023 that do not currently appear in the prescribed Proxy Form 11 in the UT Regulations, please be added to the Proxy Form 11 form so they become part of that form and have legal weight.

Proxy Voting - Proposal 4.5

In the case of a motion changing materially during the meeting (when a unit owner has put forward an amendment as a result of the discussion), SCA (NZ)'s preferred option is Option 1: **proxy holder still able to vote on the motion. The directions will not be valid, but the proxy holder can vote.** This ensures the proxy has some flexibility to vote as they see fit, notwithstanding the voting directions given the proxy form.

Pre-Settlement Disclosure Statements for Off-the-Plan Contracts

SCA (NZ)'s preferred option is Option 2 to achieve greater transparency for buyers. This is on the basis that the additional information that needs to be provided is that set out in the pre-contract

disclosure statement for existing units, as indicated under Option 2 at the top of page 34 in the discussion document, and found in regulation 33(1). Only information that is available would need to be included. We believe this means a buyer settling their purchase of an "off the plans" unit can receive the same information as if the unit was existing, to the extent that the information is available. For example, past 3 years of general meeting and committee minutes, financials, audit reports etc, will not be available and so will not be provided.

There is often a long period of time between an owner agreeing to buy an "off the plans" unit and actual settlement. The buyer will have received a pre-contract disclosure statement for the "off the plans" unit but it will likely be fairly sparse. Between then and settlement, the developer can often make many decisions, particularly around contracts with suppliers. We recommend the "off the plans" pre-settlement statement should also include details of service contracts entered into for utilities, building management, and BC management, similar to regulation 33(2)(e), plus the operational rules as per regulation 33(2)(d).

Thank you for the opportunity to provide feedback as part of this consultation and please do contact us in particular in relation to the sections we have flagged above that we are happy to provide additional feedback and input.

If you would like to discuss any part of this submission in more detail, please reach out to SCA (NZ) President Joanne Barreto at joanne@prop101.co.nz or SCA National Policy and Advocacy Manager Shaun Brockman, shaun.brockman@strata.community.

Sincerely,

Joanne Barreto
SCA (NZ) President