

# REPAIRS BY-LAW – FACTSHEET



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LAWYERS

# Transferring Responsibility for Repairs – Why?

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- Owners corporation must repair all common property unless:
  - Special resolution is passed not to repair specific item of property; or
  - Common property rights by-law transfers responsibility for repair to owners
- A common property rights by-law can make owners responsible for repairing an item of common property

## Transferring Responsibility for Repairs – What Does it Cover?

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- Useful to make owners responsible for repairing:
  - Wet areas (e.g. bathroom waterproofing)
  - Air-conditioners
  - Balcony doors and windows
  - Hot water services
  - Unauthorised works

## Transferring Responsibility for Repairs – The Pitfalls

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- Every owner must provide written consent
- What happens if every owner does not consent?
- The by-law must be specific – it must identify the item of property to be repaired by owners
- A “catch all” description of “all unauthorised renovations” is insufficient

# The End

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