

Strata disputes and how to resolve them



Disputes in strata schemes are quite common due to the large number of people living and owning such properties. Individuals' diverse backgrounds, including cultural differences, varying interests of owner-occupiers and investors, and differing levels of knowledge, can often lead to conflicts.

Regardless of the issue at hand, there is always a path to resolution, which is usually simpler than one might expect. In most cases, the best approach is to talk about the problem. For example, if your issue concerns another resident or owner, such as a neighbour's dog howling or someone smoking and the smoke drifting into your property, try letting them know that it's bothering you.

Be clear about the outcome you would like to see and give them an opportunity to fix the problem.

Issues with another resident or owner?

If you have an issue with an owner or resident that cannot be resolved through direct communication, the next step is to contact the owners corporation. The owners corporation may choose to speak with the person on your behalf, issue a warning letter, a notice to comply, or apply for mediation.

If the issue remains unresolved, NSW Fair Trading offers a mediation service for disputes governed by strata law. This means that if the Tribunal is able to make an order about the issue, Fair Trading can provide mediation. However, Fair Trading cannot offer mediation if you are seeking an apology or to evict a tenant.

Examples of disputes that are eligible for mediation include repairs and maintenance, water damage, renovations to common property, air conditioners, meeting procedures, by-laws, finances, insurance, noise, parking, pets, and nuisance smoke.

Mediation involves bringing both parties together to discuss the issue and try to come to a mutually agreed upon resolution. Mediators are neutral and do not take sides.

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