



28 July 2016

## **Notice to all Executive Committees**

### **Re: Mr. Fluffy loose-fill asbestos – NSW Fair Trading Notifications**

As the Strata Managing Agent of your strata scheme we are writing to you about the matter of loose-fill asbestos that has been installed into some properties that were built before 1980.

**PLEASE NOTE: If your building was built after 1980 this document does not apply to your scheme. It is for information only, unless we are advised otherwise by NSW Fair Trading.**

NSW Fair Trading has provided strata managing agents with a link to register strata plans with an 'expression of interest' in having their property inspected to determine if there is loose-fill asbestos present. We have done this for all Jamesons' clients, as we were advised to do so by NSW Fair Trading.

This 'expression of interest' has been registered, as there has not been sufficient time provided by NSW Fair Trading for Owners Corporations to hold a General Meeting of all owners to ratify the decision of proceeding with an inspection, prior to the registration deadline of 01/08/2016.

Please note that we have registered the Strata Scheme with NSW Fair Trading.

\*\* There is no obligation for the Strata Scheme to move forward with the testing following Jamesons' registration of the Strata Plan with NSW Fair Trading

\*\* It is important to note that as any loose-fill asbestos insulation is likely to be located within common property, owners of properties that belong to a strata scheme generally cannot register for free testing by themselves.

\*\* NSW Fair Trading has advised that around 100 properties will be given free testing. We are unable to confirm if your scheme, should it be tested, will be done at no cost. We are also unsure what the costs of testing will be as NSW Fair Trading has not supplied this information.

\*\* This relates only to properties that were constructed before 1980.



## What to do next?

If the Owners Corporation wish to proceed with the testing, they will need to request us, as your strata manager, to call a General Meeting of all owners to vote on the relevant motions as supplied by NSW Fair Trading. (Refer to [this link](#) for the relevant motions)

Should the motion be resolved, the appropriate persons will conduct an inspection of the property and will advise accordingly.

If your property tests positive, assistance is available through the Voluntary Purchase and Demolition Program.

The Program provides owners of properties that test positive for loose-fill asbestos the option to either sell their land and premises, or premises only, to the Government at market value as at 29/06/2015 (as if the property was not affected by loose-fill asbestos).

We suggest that Owners Corporations take the time to discuss this matter and then decide if they want Jamesons to call a General Meeting to vote to move ahead with the inspection. Further information and links are below to help navigate this matter.

**PLEASE ADVISE OUR OFFICE WITHIN 14 DAYS IF YOU WOULD LIKE TO REQUISITION A GENERAL MEETING TO VOTE ON THE ABOVE**

## **FACT SHEET**

If your home was built before the 1980s it could be affected by hazardous loose-fill asbestos insulation. Loose-fill asbestos is raw crushed asbestos, which in the 1960s and 70s, was installed as insulation by a company called “Mr Fluffy”. Over time hazardous airborne fibres can move from the ceiling into your living space.

If your home or the Strata Scheme Common Property areas contain loose-fill asbestos insulation, not only will its value in the market be affected, but if inhaled can cause asbestosis, lung cancer and mesothelioma. It is therefore critical that you act now to avoid financial shortfall or ill health.

### **How could this affect me financially?**

If your property contains asbestos, its value will significantly decrease as the NSW Government is considering options to protect the community from unknowingly purchasing a property that contains loose-fill asbestos. The options being considered are as follows:

- When selling a property, you would be obliged to confirm in the contract of sale if the property contains or is free of loose-fill asbestos; and
- A prescribed warning notice would be included in all contracts of sale to alert potential buyers of the risk of loose-fill asbestos in pre-1980s homes.

### **How could this affect my health?**

Asbestos only poses a risk to health when asbestos fibres are disturbed or inhaled.

However if the material is damaged or crumbling (that is, has become friable), or is disturbed by breaking, cutting, drilling or sanding, fibres are released into the air.

For further information on asbestos-related diseases see page 14 and 15 of this Handbook prepared by the Australian Department of Health.

### For more information

- For detailed information on all things Asbestos, download the Australian Department of Health handbook: [Asbestos: A guide for householders and the general public](#).
- The NSW Government has some helpful information [for those living in a home with loose fill asbestos](#).
- The Australian Government has created a [register](#) to record the details of those that think they may have been exposed to asbestos.
- Contact your strata manager for any further questions or concerns.

### Stay up to date

- Subscribe to the [Fair Trading Newsletters](#) and/or the [Jamesons newsletters](#) (at the bottom of the page) for E-news delivered to your inbox
- NSW Fair Trading is holding public events and information sessions in identified local government areas. Check out these events [here](#).

### Who to contact with questions?

Please contact your strata manager directly in the first instance if you have any questions about this matter.

You may also wish to contact Service NSW or NSW Fair Trading for further information.

### The information supplied on this page has been obtained from the following sources:

- [Fair Trading – Tenants & Home Owners Loose Fill Asbestos Insulation](#)
- [Asbestos – A guide for householders and the general public](#)
- [Asbestos Awareness](#)
- [National Association of Testing Authorities Australia](#)