

**JAMESONS
STRATA
MANAGEMENT.**



**27 October 2025
Legislative Reforms**

Today's Session

- 1.Changes being applied from 27th October 2025
 - a.Enhanced Fair Trading enforcement for repairs and maintenance
 - b. Financial hardship assistance requirements
 - c. Standardised payment plans for overdue levies
 - d. Building & facility manager duties and disclosure obligations
 - e. NCAT Powers to change of end strata or building management agreements
- 2.Delegated Functions Report
- 3.Detailed Financial Management Fee Reporting



October 2025 Legislative Reforms

There are 5 key changes:

1. Enhanced Fair Trading enforcement for repairs and maintenance
2. Financial hardship assistance requirements
3. Standardised payment plans for overdue levies
4. Building & facility manager duties and disclosure obligations
5. NCAT Powers to change of end strata or building management agreements





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Enhanced Fair Trading Enforcement: Repairs & Maintenance

Enhanced Fair Trading Enforcement: Repairs & Maintenance



What's Changing:

- NSW Fair Trading will commence exercising new compliance and enforcement powers under the Strata Schemes Management Act 2015 and the Community Land Management Act 2021 enabling enforceable undertakings and compliance notice and penalties for breaches of statutory maintenance duties



Enhanced Fair Trading Enforcement: Repairs & Maintenance

Specific New Powers Granted to NSW Fair Trading

- **Investigative Authority:** can now investigate potential breaches concerning repairs and maintenance.
- **Document and Information Requests:** powers to require relevant documents and information to support investigations and enforcement from agents.
- **Premises Inspection Rights:** NSW Fair Trading officials can enter premises working with resident, owners and strata managers to carry out inspections related to compliance checks and resolve issues early.

Consequences for Non-Compliance

- **Enforceable undertakings:** formal commitments/orders to carry out repairs.
- **Compliance notices:** official directions requiring specific actions.
- **Financial penalties:** fines for breaching obligations.
- **Tribunal or court action:** legal proceedings in cases of serious or repeated non-compliance.



Enhanced Fair Trading Enforcement: Repairs & Maintenance

Considerations by Strata Managers & Owners Corporation

- **Immediate:** review any maintenance backlogs, conduct building health checks, budget for urgent repairs, address safety issues quickly.
- **Ongoing:** keep records of maintenance decisions, respond promptly to repair requests, schedule regular inspections, ensure capital works funds are adequately maintained.
- **Watch for warning signs** such as large maintenance backlogs, structural concerns, or underfunded capital works.

What this means for you:

- Faster resolution of repair and maintenance issues.
- More assurance that their building will not fall into disrepair due to inaction.
- Reduced risk of fines or compliance orders being imposed on their scheme.
- Increased transparency, safety, and long-term protection of property value.



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Financial Hardship Assistance Requirements

Financial Hardship Assistance Requirements

What's Changing:

- **All levy notices must include a mandatory Financial Hardship Information Statement.**
- The statement provides owners with information about payment plan options, financial counselling, and their rights.
- The wording must use the official NSW Fair Trading text (no modifications allowed).
- Translation links will also be included to support non-English speakers.

NSW Fair Trading



Financial Hardship Information Statement for Levy Notices

All strata levy notices issued for NSW strata properties will need to include a new information statement.

This information will help you understand your rights and obligations if you are finding it difficult to pay your strata levies.

Important Information for Owners Experiencing Financial Hardship

- Strata levies are essential to cover shared property expenses.
- If you are struggling to pay your strata levies due to financial hardship, contact your strata manager or committee as soon as possible to discuss what options are available.
- The sooner you reach out for help, the more options you'll have to prevent falling further behind.
- These options may include applying for an affordable payment plan, waiving interest charges, more time to pay, or other options to help with your situation.
- Free, confidential and independent financial counselling is available through the National Debt Helpline. Call 1800 007 007 to speak with a financial counsellor or visit ndh.org.au for more information or to use their live chat service.
- If your hardship request isn't being handled fairly, keep paying what you can and keep trying to catch up on payments.
- To understand your rights under NSW strata laws, access a translated copy of this information, or apply for free strata mediation if you have a dispute about your levies, visit nsw.gov.au/strata-levies-help or call 13 32 20.
- For language assistance, call 13 14 50 (ask for an interpreter in your language).



Financial Hardship Assistance Requirements

What we will be doing:

- We have updated the email body for all levy notices and added a page to postal levies with this information.
- Create email templates for our teams to use to respond to financial hardship and Payment Plan requests.
- Trained all our staff
- Added resourcing in our website with information on Financial Hardship and Payment Plans.
- Encourage open dialogue and proactive contact from owners experiencing hardship.

What this means for you:

- If you are experiencing financial hardship, you will have clear, consistent information about your rights and support options.
- Access to free financial counselling and mediation services to resolve levy disputes.
- Greater fairness and compassion in the way schemes handle overdue levies.

PROPOSED LEVY FLYSHEET

Subject:

Dear <SALUTATION>,

Please find attached your next levy notice, due <MESSAGELINE1>.

If you have a levy-related question, please fill out our [Levy Enquiry Form](#) and our friendly Customer Care team will get back to you, or call 8969 3300 and select Option 1.

We've also created some helpful resources to guide you:

- [Understanding Your Levies](#) – everything you need to know about what levies - from how to access and pay them, to what they cover, when they're due, and what to do if you experience financial hardship.
- [Financial Hardship Statement](#) – NSW Fair Trading information Statement for owners experiencing Financial Hardship.
- [Financial Hardship & Payment Plans](#) – information on your rights and options if you are struggling to keep up with your levies.

If you would like to speak to someone in relation to your levies or help with anything else, please call (02) 8969 3300 or email us at customercare@jamesons.com.au.

Note: Please do not reply to this email as the mailbox is not monitored.

Warm regards,
Jamesons Strata Management

T: +61 2 8969 3300 | E: customercare@jamesons.com.au

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3

Standardised Payment Plans for Overdue Levies

Standardised Payment Plans for Overdue Levies

What's Changing:

- From 27 October, owners must use the new form: [Request for payment plan for overdue contributions](#) when requesting a payment plan.
- Owners Corporations & associations must:
 - Consider each request seperately – blanket refusals are no longer allowed.
 - Respond in writing within 28 days
 - Provide clear written reasons if refusing a plan

Reasonable refusal:

A refusal can only be reasonable if approving the plan would leave the scheme without enough funds to meet its obligations. This may include situations where:

- The administrative or capital works fund would fall into **deficit**
- There would not be enough money for **urgent repairs** and maintenance
- The scheme could not pay **day-to-day expenses** or comply with a Fair Trading notice, undertaking, or order

NSW Fair Trading



Request for payment plan for overdue contributions

This form lets you make a request to the owners corporation of your **strata scheme**, for a plan to repay overdue contributions (unpaid strata levies).

Prescribed under section 17K(1) of the Strata Schemes Management Regulation 2016

Who should use this form

An owner of a lot in a strata scheme who has overdue levies must use this form if they want to request a payment plan.

Note:

This payment plan request only applies to your overdue contributions. You must continue paying all new contribution notices when they are due. You should consider this when proposing a payment plan. If you fall into arrears with any new contributions, you may request another payment plan to cover those contributions.

If you do not comply with an accepted payment plan, the owners corporation has the right to take action to recover the overdue contributions.

A request for a payment plan and a request for interest to be waived each require a resolution of the owners corporation.

What you need to do

1. Complete this form. Lots with more than one owner should enter the name of each owner seeking to enter into the payment plan.
2. Submit the completed form to the strata manager or the secretary of the strata committee or owners corporation by email, mail, or in person.

What the owners corporation needs to do:

1. An owners corporation or strata committee must give an owner a written response within 28 days of receiving a completed payment plan request for overdue contributions from the owner.
2. If a request for a payment plan is refused, the written response must include the reasons for the refusal and explain how those reasons apply to the individual case.

For more information on the options available to assist with paying strata levies, visit nsw.gov.au/strata-levies-help

Free, confidential and independent financial counselling is available through the National Debt Helpline. Call 1800 007 007 to speak with a financial counsellor or visit ndh.org.au for more information or to use their live chat service.

nsw.gov.au/fair-trading | Phone 13 32 20

Request for payment plan for overdue contributions | September 2025

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Standardised Payment Plans for Overdue Levies

Other important Details:

- If an owner believes their request has been unfairly refused, they can now apply for mediation with NSW Fair Trading, and if that doesn't resolve the matter, take it to the NSW Civil and Administrative Tribunal (NCAT).
- If NCAT finds the refusal was unreasonable, the scheme must approve the payment plan.
- Repayments must be applied first to overdue levies (in order of due date), then to interest, then to recovery costs
- While a payment plan is in place and being followed properly, no recovery action can be taken
- If recovery action is planned, the owner must be given at least 30 days' notice

What this means for you:

- Standardised handling of payment plan requests.
- Owners have clear rights to request and, if necessary, appeal to Fair Trading or NCAT.
- For all owners, ensures overdue levies are managed without compromising the financial stability of the scheme.



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Building Manager Duties & Disclosure Obligations

Building Manager Duties & Disclosure Obligations

What's Changing:

- Building managers will have clear legal duties under strata law.
- They must:
 - Act in the best interests of the owners corporation (unless unlawful).
 - Promptly identify and report maintenance, repair, and safety issues.
 - Propose solutions and act quickly on safety matters.
- New disclosure requirements apply:
 - Any financial benefits, commissions, or referral fees must be disclosed.
 - Ongoing disclosure of supplier connections, financial interests, or ownership of lots in the scheme.
 - Disclosure obligations apply when recommending contracts and when seeking appointment.

Building Manager Definition:

Building managers are appointed under agreements and have ongoing management or control duties. They manage common property operations ensuring smooth functioning of shared building areas.

Excluded Roles:

Electricians, plumbers, gardeners, and contractors with limited or specific tasks are not considered building managers.

Building Manager Disclosure Obligations

Disclosure Duties when suggesting Contracts & Ongoing Relationships:

- **Disclosure When Suggesting Contracts:** Building Managers must disclose any benefits they receive and connections with proposed contractors.
- **Ongoing Disclosure Obligations:** Building Managers must continually disclose supplier connections, owner relationships, and financial interests.

Disclosure For Building Manager Candidates

- **Referral Fee Disclosure:** Candidates must disclose any referral fees they expect to receive to ensure transparency.
- **Commission Transparency:** Commissions that influence charges must be fully disclosed by candidates to avoid conflicts of interest
- **Benefit Impact Disclosure:** Any benefits affecting fee structures must be declared to maintain ethical management practices.



Building Manager Disclosure Form

BUILDING MANAGER DISCLOSURE FORM

Strata Schemes Management Regulation 2016 - Sections 13B to 13F

PART A: BUILDING MANAGER DETAILS

Strata Scheme Name	Strata Plan Number	Building Manager Name/Company	ABN/ACN	Contact Person	Date of Appointment /Engagement	Building Manager Agreement Date	Date of This Disclosure

PART B: PRE-APPOINTMENT CANDIDATE DISCLOSURE

Complete this section *ONLY* if you are applying to be appointed as building manager

Legislative Reference: Regulation 13F - Building Manager Candidates

Declaration:

☐ I **DO NOT** expect to receive any benefits that will affect the fees I will charge under the building manager agreement.

☐ I **DO** expect to receive benefits that will affect the fees I will charge under the building manager agreement, as detailed below:

Details of Expected Benefits:

Benefit Type	Provider of Benefit	Description	Value/Calculation Method
☐ Referral Fee ☐ Commission ☐ Other: _____			\$ _____ per _____ OR Method: _____
☐ Referral Fee ☐ Commission ☐ Other: _____			\$ _____ per _____ OR Method: _____
☐ Referral Fee ☐ Commission ☐ Other: _____			\$ _____ per _____ OR Method: _____

Total Estimated Annual Benefits: \$ _____

Example: "I expect to receive a 10% commission from ABC Pool Services (\$50/month = \$600 annually) and a \$100/month referral fee from XYZ Cleaning (\$1,200 annually). Total estimated benefits: \$1,800 per year."

Building Manager Disclosure Obligations

Update for those with Building Managers

- We have communicated changes to all building managers we work with, providing an optional disclosure form for building managers to complete and supply to committees.
- We will support committees in monitoring performance and addressing non-compliance.

Action required by Committees Managing Existing Building Managers:

- For those managing existing building managers: Ask the BM to fill out the disclosure form or provide written confirmation of a similar nature.
- Keep a record of disclosures from Building Manager via your Strata Manager
- Ensure prompt action is taken on any issues identified

Building Manager Disclosure Obligations

What it Means for you

- More transparency when contractors or suppliers are recommended.
- Confidence that building managers are working in the owners corporation's best interests.
- Earlier identification and resolution of maintenance and safety issues.
- Stronger accountability, giving committees the tools to end agreements if duties are not met.





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New Tribunal Powers – Ending or Changing Management Agreements

Strata & Building Manager Contracts - Tribunal Orders

What's New:

- From 27 October 2025, owners corporations have a new legal ground to apply to NCAT to end or change a building manager agreement or strata management agreement.
- The new ground: where the manager has acted unlawfully in their role — for example, failing to meet new disclosure or duty obligations under the strata laws.

Why It Matters for You

- Provides committees with a clearer, stronger pathway to remove managers who are not acting lawfully.
- Increases accountability for building and strata managers.
- Protects owners from poor practice or hidden conflicts of interest.
- Builds confidence that your building is being managed ethically, transparently, and in your best interests.