

FORM 21

O409776 AE 20 May 2020 08:30:00 Midland 

LODGED BY WA Strata Management

Unit 3/5-7 Wollaston Street
Bunbury WA 6230

ADDRESS

PHONE No. (08) 9707 3843

FAX No.

REFERENCE No.

ISSUING BOX No. *991L*

PREPARED BY WA Strata Management

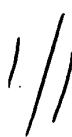
Unit 3/5-7 Wollaston Street
Bunbury WA 6230

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PHONE No. (08) 9707 3843

FAX No.

INSTRUCT IF ANY DOCUMENTS ARE TO ISSUE TO OTHER
THAN LODGING PARTY



TITLES, LEASES, DECLARATIONS ETC LODGED HEREWITH

1. _____	Received Items Nos.
2. _____	
3. _____	
4. _____	Receiving Clerk
5. _____	
6. _____	

Registered pursuant to the provisions of the *TRANSFER OF
LAND ACT 1893* as amended on the day and time shown above
and particulars entered in the Register.

EXAMINED



FORM 21.**STRATA PLAN No. 60230**

Strata Titles Act 1985

The Owners of 16 Magpie Street Margaret River Strata Plan 60230 hereby certifies that by resolution without dissent duly passed on 7 April 2020 and which became unconditional on the 5 June 2020 as by-laws in Schedule 1 to the Act as they applied to the strata company, were added to as follows-

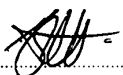
16. Costs of recovering unpaid contributions and other amounts

16.1 If the proprietor of a lot refuses or fails to pay to the strata company any amount due for:

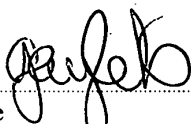
- 16.1.1 contributions (whether levied under sections 36(1) or 36(2)) or any other amount properly due to the strata company;
- 16.1.2 the costs of making good any damage to common property caused by that proprietor or the occupier or other resident of that proprietor's lot or the invitee of the proprietor, occupier or other resident;
- 16.1.3 the costs of making any application or submission to the State Administrative Tribunal or any court of competent jurisdiction in respect to any breach of the by-laws by that proprietor or the occupier or other resident of that proprietor's lot or the invitee of the proprietor, occupier or other resident;
- 16.1.4 the costs of rectifying any works carried out on common property as a result of an unauthorised instruction or action of that proprietor or the occupier or other resident of that proprietor's lot;
- 16.1.5 the costs of remedying a breach of any of the by-laws or any provision of the Act committed by that proprietor or the occupier or other resident of that proprietor's lot or the invitee of the proprietor, occupier or other resident;
- 16.1.6 the costs of any excess imposed by the strata company's insurer in respect to any claim made on the company's policy which has arisen as a consequence of the action or behaviour of the proprietor, resident or other occupier of a lot including accidental damage to the improvements within the lot or the common property;

- 16.3.1 to determine that costs incurred pursuant to this by-law shall be included in the amounts to be raised for the purposes set out in section 36(1)(a) (specifically, the strata company's obligation to pay the costs of the parties engaged to assist in the recovery action contemplated by this by-law); and
- 16.3.2 to exercise the function prescribed by section 36(1)(c) in accordance with the provisions of this by-law in which case a contribution under that section in respect of the relevant costs shall be deemed to have been levied on the proprietor by service of notice under sub-bylaw 16.2

The Common Seal of The Owners of 16 Magpie Street Margaret River Strata Plan 60230 was hereunto affixed on the 5 June 2020 in the presence of-


 Signature
 JASON CRAIG BESTIE
 Council Member - Full Name
 Lot 12




 Signature
 GAYLE BENNETT
 Council Member - Full Name
 Lot 24

- 16.1.7 any contractor fees or charges or associated strata manager fees or charges where the strata company and or strata manager has arranged for a contractor to attend at a lot to carry out any work, repairs and or inspection and the proprietor, occupier or other resident fails to be in attendance and or grant entry to the contractor to the lot preventing the contractor from

completing the work order and the contractor claims fees or charges for that attendance and any associated strata manager fees or charges.

- 16.1.8 the costs referred to in Schedule 1 By-Laws,

and, the strata company may take such lawful action as it deems necessary to recover that amount from the proprietor (including proceedings in any court of competent jurisdiction).

- 16.2 All costs incurred in taking action pursuant to sub-bylaw 16.2, including, but not limited to:

- 16.2.1 strata company manager's costs, pursuant to the management agreement between the strata company and the strata company manager or as otherwise determined by the strata company;

- 16.2.2 legal costs on a solicitor / own-client basis; and

- 16.2.3 debt recovery agency's costs;

may be included and claimed in such action. All such costs shall be payable by the proprietor.

- 16.2.4 in respect of costs other than legal costs, as liquidated damages; and

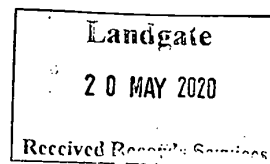
- 16.2.5 in respect of legal costs of proceedings in a court of competent jurisdiction, as costs of those proceedings on a solicitor / own-client basis,

provided always that before issuing any proceedings the strata company shall issue or cause to be issued to the proprietor a written notice specifying amounts to that date in respect of which such proceedings are to be taken.

- 16.3 To the extent that the strata company may be precluded from claiming all or any part of the costs incurred pursuant to this by-law as liquidated damages, the council is hereby empowered, when required:

Remittance Advice

Landgate
PO Box 2222
Midland WA 6936



Date	Plan	Reference	Description	Amount
13/05/2020	60230		Lodgement Fee	174.70
Cheque no. 002830		13/05/2020	Total	\$174.70
The Owners of 16 Magpie Street - Margaret River: 16 Magpie Street, Margaret River WA 6285				

