



MEDIATION

under the Strata Schemes Management Act 1996

Please read this information before completing the form.

Strata living often brings people of diverse interests and backgrounds close together. Disagreements and disputes can sometimes arise. Mediation is the main method by which disputes in strata schemes are now resolved.

WHAT IS MEDIATION?

Mediation is a structured negotiation process in which a neutral and independent mediator assists parties in dispute to achieve their own resolution.

IS MEDIATION COMPULSORY?

Yes, to a certain extent mediation is compulsory. You cannot take any further steps under the Act to resolve your dispute unless an attempt at mediation has been made.

WHAT ARE THE BENEFITS OF MEDIATION?

Mediation is a quick, inexpensive and informal way of resolving disputes. It gives all parties the opportunity to explain their situation.

Flexibility is another advantage of mediation. Arrangements can be made to suit each case.

Mediation also does not need to involve other people connected with the strata scheme who are not a party to the dispute.

HOW LONG DOES IT TAKE?

Your application will usually be completed within 2-4 weeks.

WHAT IS THE COST?

A fee of \$54 must be paid by the applicant for mediation. There are no other charges involved.

WHO MEDIATES?

The Department of Fair Trading has qualified mediators with a knowledge of the strata laws. An outside mediator may be appointed in a small number of cases. If you prefer, you can find and pay for a mediator of your own choice.

WHAT IS THE ROLE OF THE MEDIATOR?

The mediator's role is to:

- help identify the issues in dispute;
- assist the parties to understand their rights and responsibilities under the Act;
- suggest options or strategies by which the issues may be resolved.

The mediator does not judge who is right or tell the parties what to do.

HOW DOES MEDIATION WORK?

All parties are encouraged to actively participate in mediation. The Strata Schemes Office may be able to help by providing information to both sides on their rights and responsibilities under the strata law.

If the dispute is more complex, a time and place agreeable to all parties is set for a meeting. Here, everybody sits around a table and talks through the problem with the help of the mediator.

Any agreement reached through the mediation process is put in writing and signed by all parties. It can then be formalised, which enables fines to be imposed on anyone who breaks the agreement.


FURTHER INFORMATION

For general information, or assistance with completing this form, please contact:

Strata Schemes & Mediation Services
Level 6, 234 Sussex Street SYDNEY NSW 2000
Phone: (02) 9338 7900 or toll free 1800 451 431

Office hours: 8.30 am to 4.30 pm Monday to Friday
Note: Face to face interviews are by appointment

Steps to resolving disputes in Strata Schemes:

-  **1** MEDIATION
- 2** ADJUDICATION
- 3** STRATA SCHEMES BOARD



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Please print within the boxes in CAPITAL LETTERS.

1 Address of Strata Scheme

Address

Postcode

2 Strata Plan No. Number of Lots shown on Strata Plan

3 Applicant's Details

Name (Individual or Corporation)

Address

Postcode

Your Lot number in the strata scheme

Daytime Phone Number Mobile Phone Number Facsimile Number

4 Are you applying as?

an owner

an owners corporation

a tenant/occupier

other, please specify

5 Who is your dispute with?

Name (Individual or Corporation)

Address

Postcode

Daytime Phone Number Mobile Phone Number Facsimile Number

6 Is the individual or corporation named in question 5?

an owner

the owners corporation

a tenant/occupier

an adjoining strata complex

other, please specify

7 Do you need an interpreter? Yes No If Yes, what language?

