



Strata Titles Amendment Act 2018 Fact Sheet

SECTION 91

Strata Company Common Duty

91. General duty

- (1) A strata company must —
 - (b) control and manage the common property for the benefit of all the owners of lots and;
 - (c) keep in good and serviceable repair, properly maintain and, if necessary, renew and replace —
 - (i) the common property, including the fittings, fixtures and lifts used in connection with the common property; and
 - (ii) any personal property owned by the strata company, and to do so whether damage or deterioration arises from fair wear and tear, inherent defect or any other cause.
- (2) A strata company may improve or alter the common property in a manner that goes beyond what is required under subsection (1).

Note for this subsection:

Expenditure above a certain amount incurred for the purposes set out in subsection (2) must be authorised by special resolution, except for expenditure on sustainability infrastructure, which may be authorised by ordinary resolution: see section 102.

- (3) A strata company may sue and be sued for rights and liabilities related to the common property in the strata titles scheme as if it were the owner and occupier of the common property.