



## Quiz

### Blanket Bans in Strata Schemes

1. What was the position of NCAT in relation to blanket pet bans prior to *Cooper v The Owners in Strata Plan No 58068* (2020) NSWCA 250?
  - a. That blanket pet bans were harsh, unconscionable and oppressive
  - b. That blanket pet bans were not harsh, unconscionable and oppressive if they reflected the community values and standards within a particular strata scheme
  - c. That blanket pet bans were valid if they met all the requirements under section 139 of the *Strata Schemes Management Act 2015* (NSW)
  - d. Both B and C
2. What was the finding of the Appeal Panel in *Cooper v The Owners in Strata Plan No 58068* (2020) NSWCA 250?
  - a. Angus the dog was ordered to be removed from the building
  - b. The by-law was not harsh, unconscionable and oppressive
  - c. NCAT erred in its original finding
  - d. All of the above
3. What was the decision of Justice Baston in the Court of Appeal?
  - a. That any by-law would fail if it interferes with the use and ownership of a lot owner without giving a corresponding benefit to another lot owner

- b. That when it comes to by-laws, the majority should rule since Strata Plans are a majority rule enterprise
  - c. It would be difficult to police any sort of regime that involved permission to be given for people to have particular pets
  - d. All of the above
- 4. When will the principles of the Court of Appeal apply?
  - a. In instances of blanket pet ban by-laws
  - b. Most likely in situations where there are other forms of indiscriminate or irrational or unjustified by-laws that draw a line between certain pets and not others
  - c. Only if a certain pet has a negative impact on other lot owners and it would be against the majority of lot owners to invalidate a by-law
  - d. Both A and B
- 5. Under what section of the *Strata Schemes Management Act 2015* (NSW) did Jo argue that the blanket pet ban was invalid?
  - a. Section 150
  - b. Section 147
  - c. Section 136
  - d. Section 15

Answers:

1. A 2. D 3. A 4. D 5. A