



Quiz

2017 in Review Strata Case Law Update

1. Under s 3C of *Home Building Act 1989* (NSW), for anything that is not a major defect, consumers have ____ to sue for completion.
 - a. 7 years
 - b. 2 years
 - c. 6 years
 - d. 5 years

2. What did his Honour hold in relation to the expert evidence for destructive testing in *The Owners Strata Plan No 66375 v Suncorp Metway Insurance Ltd (No 2)* [2017] NSWSC 739?
 - a. The evidence could be applied to all of the properties
 - b. The evidence could be applied only to the two properties that were destructively tested
 - c. The evidence could not apply to any of the properties
 - d. None of the above

3. Under s 106(5) of the *Strata Schemes Management Act 2015* (NSW) how long does one have to sue in damages once they become aware of the loss?
 - a. 6 years
 - b. 5 years
 - c. 2 years
 - d. 1 year

4. Which of the following is not a case that considered standing of an Owner's Corporation to bring proceedings to sue for defects?
- a. *Owners Corporation SP 79417 v Trajcevski* [2017] NSWCATAP 101
 - b. *Manbead Pty Ltd v The Owners Strata Plan 87365* [2016] NSWCATAP 167
 - c. *Brookfield Multiplex Ltd v Owners Corporation Strata Plan 61288* [2014] HCA 36; (2014) 254 CLR 185
 - d. *Kondouris v The Owners – Units Plan No 1917* [2017] ACTCA 36
5. Which of the following was a condition of the consent orders in *The Owners Strata Plan Number 57164 v Yau* [2017] NSWCA 176?
- a. Revoke the resolution made pursuant to s 62(3)
 - b. Agreed to undertake the relevant works required for the upgrade
 - c. Pay the Respondent the \$200,000
 - d. All of the above

Answers:

1. b 2. b 3. c 4. d 5. d