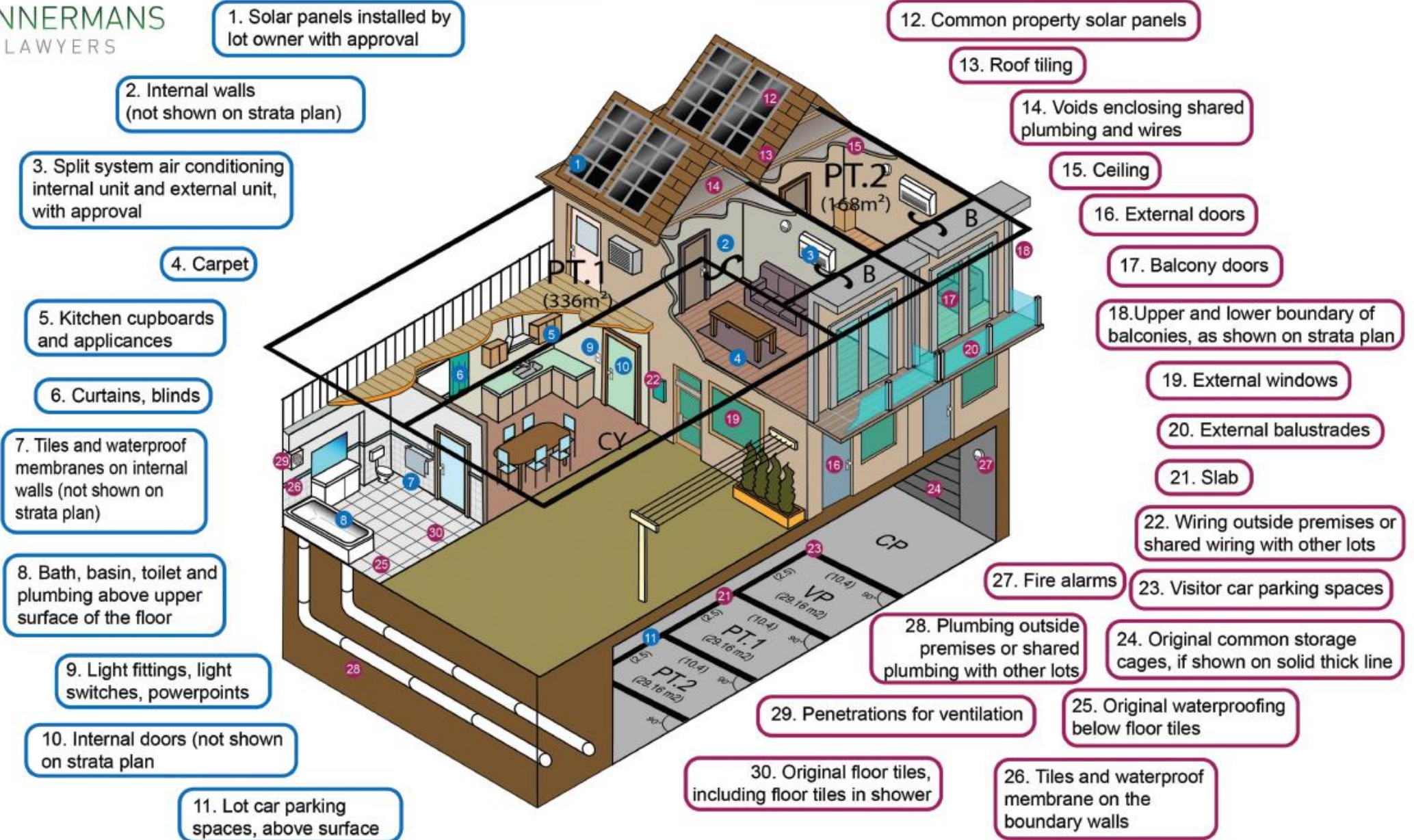




WHAT DO I OWN AND WHAT IS COMMON PROPERTY?

LOT PROPERTY

COMMON PROPERTY



Please note:

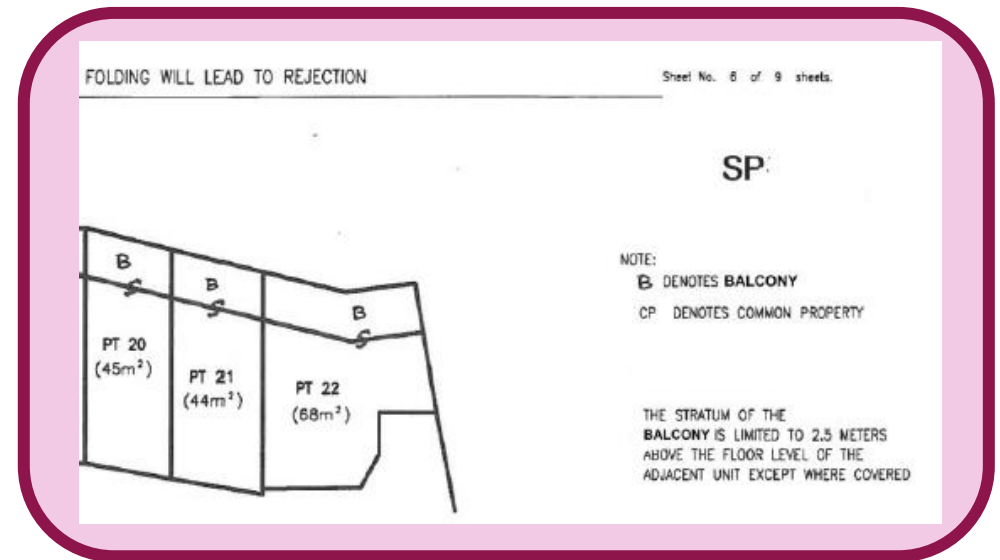
- This diagram is provided as a guide for strata schemes registered after 1 July 1974.
- To a limited extent, notations on the strata plan can modify the general position, as can any by-laws, alterations, additions or removal of common property put in place after the registration of the plan.

What is Lot and Common Property?

The important question of who owns what needs to be established, as the answer will dictate how a strata scheme is correctly managed and who is responsible for what parts of a strata scheme.

Common property is the responsibility of the owners corporation, and **Lot property** is the responsibility of the lot owner.

The picture adjacent is an extract from a typical strata plan. The strata plan does not tell you all of the details about what is common property and what is lot property. Further details are described by the relevant legislation and case law.



General position (subject to exceptions)

As a guide, the general rules applicable to the majority of strata schemes registered after 1 July 1974 are:

- The structures located on the solid thick line at the registration of the strata plan are common property.
- The ceiling, the structure of the floor including fixed tiles or floorboards, the electrical wiring located in the ceiling, external windows and balcony doors are usually all items of common property.
- Internal walls, not shown on a strata plan are lot property and a structure located on a thin line is usually lot property.
- Carpet, light fittings, blinds, curtains, toilet bowls, bath tubs and kitchen cupboards will all usually be lot property and the responsibility of a lot owner.

Exceptions

The following exceptions to the general position apply:

- The general position does not apply to strata plans registered before July 1974.
- To a limited extent notations on the strata plan can modify the general position.
- Owners or owners corporations can with proper approval alter, add to or remove common property after the registration of the plan.

There is no 'one size fits all' answer so if in doubt, ask an expert to work it out.