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|---|---|--|
| Building Management contract since 2008 Universal Strata Services | Night shift hours of operation and staff requirements 17:00 hours to 05:00 hours seven nights a week | Contract summary Mr. John Fry on 11 July 2008 and valid until AGM 2014 |
| Uniqueco Property Services | Licensed security guards with first-aid certificates 17:00 hours to 05:00 hours seven nights a week | Increased contract value by 8.78% per year |
| | No guarantee of licensed security staff Agenda for AGM on 26 November 2014 did not have any details of the contract | Signed on 7 December 2014 by two committee members of which one of them Mr. Moses Levitt of Lot 147 was unfinancial due to unpaid levies since 2001 and the other one Mr. Bruce Copland of Lot 202 had undeclared reimbursements for private water and gas usage |
| Uniqueco Property Services | Alternative tender for building management was submitted by Mr. Steve Carbone's current employer Universal Strata Services 17:00 hours to 05:00 hours seven nights a week | Increased contract value by 4.00% per year |
| | No guarantee of licensed security staff Agenda for AGM on 24 October 2017 did not have any details of the contract | Contract renewed without tender at general meeting on 24 October 2017 and signed by two unfinancial committee members - Mr. Moses Levitt of Lot 147 and Mr. Stan Pogorelsky of Lot 147 and 181 due to unpaid levies since 2001 and 1999 respectively |
| Uniqueco Property Services | Ryan Strata offered superior strata management services on 10 May and 27 June 2016 but they were discarded by committee members and BCS Strata Management 19:00 hours to 04:00 hours on weekdays | Contract signed by strata manager Mr. Robert Crosbie in December 2020 |
| | 18:30 hours to 04:00 hours on weekends, 18:00 hours to 04:00 hours on public holidays | Increased contract value by 1.00% per year |
| | No guarantee of licensed security staff | |
| | Agenda for AGM on 22 October 2020 provided a copy of the contract for the first time | |
| | Three very competitive quotes for building management contract were prevented: | |
| | Curtis Strata Cleaning | |
| | Forte Asset Services | |
| | Clean and Secure Building Management | |
| | All three of them offered two options for security services with licensed staff: | |
| | Patrols two times a night in around 30 minute duration each time, | |
| | Full 10-hour a night onsite security. | |
| | Very competitive quote from Jim's Mowing franchise for gardening was | |

prevented

Three very competitive quotes for the strata management contract were prevented:

Strata Excellence

Strata Title Management

Netstrata

Uniqueco Property Services

Contract kept secret since Lot 158 document search at Waratah Strata Management on 13 February 2024 and not provided to any owner

Recommendation was to increase contract value by 26.68% over three years at EGM on 30 November 2023

Agenda for EGM on 30 November 2023 did not have any details of the contract

Dubious tender by Building Management Australia was submitted in the tender but not considered and discussed at the meeting

According to Mrs. Sandra Carbone oral statement at NCAT Hearing on 22 April 2024, the renewed contract was signed by Waratah Strata Management on 1 February 2024)

Uniqueco Property Services stopped doing number of activities their predecessor undertook as part of standard services:

- Touch-up painting of smaller areas within the complex,
- Cleaning exhaust vents in bathrooms and laundries,
- Mowing Ryde Council unnamed park Lot 202 DP848752, 440 Lane Cove Road, classified as Public Recreation Space. This started happening in 2019 after Mr. Steve Carbone and Mr. Robert Crosbie Ryde were prevented by Lot 158 to allow selective owners to park illegally (Ryde Council Reference 2158948).

<https://www.nswstratasleuth.info/SP52948-Request-submitted-to-provide-details-of-staff-who-are-licensed-to-conduct-security-guard-duties-in-night-shift-3Mar2018.html>

Table of SP52948 building management contract paid yearly to service providers

| Financial Year | Building Manager (old name Caretaker) | Total Contract Value | Official annual inflation rate |
|----------------|---------------------------------------|---|--------------------------------|
| 1999 | Strata Sphere | \$186,611.00 | 1.48% |
| 2000 | Universal Strata Services | \$220,168.00 | 4.46% |
| 2001 | Universal Strata Services | \$220,624.00 | 4.41% |
| 2002 | Universal Strata Services | \$218,938.00 | 2.98% |
| 2003 | Universal Strata Services | \$218,167.00 | 2.73% |
| 2004 | Universal Strata Services | \$222,376.00 | 2.34% |
| 2005 | Universal Strata Services | \$227,995.00 | 2.69% |
| 2006 | Universal Strata Services | \$228,438.00 | 3.56% |
| 2007 | Universal Strata Services | \$232,844.00 | 2.33% |
| 2008 | Universal Strata Services | \$235,560.00 | 4.35% |
| 2009 | Universal Strata Services | \$244,287.00 | 1.77% |
| 2010 | Universal Strata Services | \$264,080.00 | 2.92% |
| 2011 | Universal Strata Services | \$245,094.00 | 3.30% |
| 2012 | Universal Strata Services | \$255,673.00 | 1.76% |
| 2013 | Universal Strata Services | \$256,605.00 | 2.45% |
| 2014 | Universal Strata Services | \$252,618.00 | 2.49% |
| 2015 | Uniqueco Property Services | <u>\$275,838.09</u> (charges split into four invoices: garden maintenance, security, caretaker fees, maintenance garden items, difference to previous year: 8.78% , contract RS/RH 081394 signed on 7 December 2014 by two committee members of which one of them - Mr. Moses Levitt of Lot 147 was unfinancial due to unpaid levies since 2001) | 1.51% |
| 2016 | Uniqueco Property Services | <u>\$295,250.60</u> (charges split into four invoices: garden maintenance, security, caretaker fees, maintenance garden items, difference to previous year: 7.03% , Unfinancial Chairperson Mr. Stan Pogorelsky of Lot 181 approved false statements about building management costs in agenda for AGM 2016 (\$292,912.00) <u>evidence part 1</u> and <u>evidence part 2</u> , minutes of committee meeting held on 21 March 2016 renewed contract for another year without any tender, although its expiration date was nine months later on 7 December 2016, contract value increased by 2% without owners corporation decision at general meeting on 22 April 2016) | 1.28% |
| 2017 | Uniqueco Property Services | <u>\$291,507.13</u> (difference to previous year: -1.27% , contract renewed without tender at general meeting on 24 October 2017 and signed by two unfinancial owners - Mr. Moses Levitt and Mr. Stan Pogorelsky of Lot 147 and 181 due to unpaid levies since 2001 and 1999 respectively, increasing the contract value by 4% per year) | 1.95% |
| 2018 | Uniqueco Property Services | <u>\$306,837.99</u> (Auditor signed incomplete version of financials at AGM 2018, <u>agenda for AGM 2019 confirmed it</u> , difference to previous year: 5.25%) | 1.91% |

| Financial Year | Building Manager (old name Caretaker) | Total Contract Value | Official annual inflation rate |
|----------------|---------------------------------------|--|--------------------------------------|
| 2019 | Uniqueco Property Services | \$293,031.44 (difference to previous year: -4.50%) | 1.61% |
| 2020 | Uniqueco Property Services | \$330,986.89 (difference to previous year: 12.95% , contract renewed without tender at general meeting on 22 October 2020) | 0.85% |
| 2021 | Uniqueco Property Services | \$339,249.60 (difference to previous year: 2.49%) | 2.86% |
| 2022 | Uniqueco Property Services | \$339,741.00 (difference to previous year: 0.14%) | 6.59% |
| 2023 | Uniqueco Property Services | \$343,507.47 (difference to previous year: 1.10% , undisclosed increase of 2.0% since February 2023) | 4.1% as published on 31 January 2024 |
| 2024 | Uniqueco Property Services | \$415,012.63, split into two account codes ("Maint Bldg--Building Management" and "Maint Bldg--Building Management Expenses"), increase of 20.81%) | 2.4% as published on 29 January 2025 |

Extract from contract with Universal Strata Services dated 1 December 2010 which carried forward until AGM 2014 when Assistant Manager (Mr. Steve Carbone) won it for his own new company Uniqueco Property Services – of special importance was obligation to provide night security guards (suitably licensed) from 17:00 hours to 05:00 hours seven nights a week

<https://www.nswstratasleuth.info/SP52948-Universal-Strata-Building-Manager-contract-2010.pdf>

Night Caretaking

- The contractor will provide night caretaking duties from 5.00pm to 5.00am 7 nights a week.
- The contractor will provide 2 permanent persons and will provide details of such persons to the Owners Corporation.
- The persons engaged will be suitably licensed.
- The night staff will be dressed in long trousers and shirts with an emblem of Macquarie Gardens on each shoulder plus photo ID endorsed by the Strata.
- A night log book in conjunction with a day log will be kept in the office at the property (on site) at all times and available for inspection by the Strata Manager and Executive Committee as required.
- The night staff shall report to the daytime Caretaker who in turn will report to the Strata Manager.

Security guards were also requested to have first aid certificates, as per committee meeting in Lot 151 (Mrs. Maureen McDonald) which documented petition with around 40 owners (collected by late Dr. Edye) on 10 January 2001:

To consider submissions from various contractors to carry out the security, caretaking, cleaning, gardening and pool maintenance duties at the complex and to resolve which proposal/s are to be accepted and which existing agreements are to be terminated.

(It is proposed to enter into a 12-month agreement with the approved contractor/s)

Initially Dr J Edye presented a petition signed by approximately 40 owners indicating their objection to an unlicensed security person being engaged with Dr Edye also expressing concerns regarding any proposal that the contractor engaged for the evening duties spend part of the time on cleaning work as such additional functions may distract from the main security duties.

Extract from Uniqueco Property Services contract on 7 December 2014 – of special importance was a major change to provide ordinary staff from 17:00 hours to 05:00 hours seven nights a week (no guarantee of licensed security staff)

The contract RS/RH 081394 increased costs to SP52948 by 8.78% (compared to FY 2014), and it was signed on 7 December 2014 by two committee members of which one of them - Mr. Moses Levitt of Lot 147 was unfinancial due to unpaid levies since 2001 and the other one Mr. Bruce Copland had undeclared reimbursements for private water and gas usage.

<https://www.nswstratalsleuth.info/SP52948-Uniqueco-Property-Services-contract-Dec2014.pdf>

GST is excluded from the prices shown below.

| | Annual Price | Monthly Price |
|------------------------|---------------------|--------------------|
| Day Caretaking | \$121,000.00 | \$10,083.33 |
| Pool Maintenance | \$ 11,000.00 | \$ 916.67 |
| Gardening \$ 52,000.00 | \$ 4,333.33 | |
| Night Caretaking | \$105,000.00 | \$ 8,750.00 |
| Total | <u>\$289,000.00</u> | <u>\$24,083.33</u> |

Schedule 3 Hours of Coverage

1. The Contractor will provide Caretaking Services to the Premises between the hours of 5.00 am – 5.00 pm, Monday to Friday and 9.00 am to 3.00 pm Saturdays and Sundays and will provide after-hours service at all times to respond to emergencies onsite within 1 hour of notification.
2. The Contractor will provide cleaning services to the Premises 7 days each week, which will include a minimum 6 hours on each Saturday and Sunday and any Public Holidays.
3. The Contractor will provide a minimum of one person on site from 5.00 pm to 5.00 am 7 nights a week including Public Holidays.
4. Gardening and Pool hours of coverage are to be sufficient to provide all the services listed at the frequency specified to standards determined by the Quality Assurance Standard document.

Extract from Uniqueco Property Services contract on 27 November 2017 – of special importance was continued action to engage ordinary staff from 17:00 hours to 05:00 hours seven nights a week (no guarantee of licensed security staff)

Contract with Uniqueco Property Services was renewed without tender at general meeting on 24 October 2017 and signed by two unfinancial committee members - Mr. Moses Levitt and Mr. Stan Pogorelsky of Lot 147 and 181 due to unpaid levies since 2001 and 1999 respectively, increasing the contract value by 4% per year.

<https://www.nswstratasleuth.info/SP52948-Uniqueco-Property-Services-contract-part-1-Nov2017.pdf>

<https://www.nswstratasleuth.info/SP52948-Uniqueco-Property-Services-contract-part-2-Nov2017.pdf>

Schedule 2 Prices

GST is excluded from the prices shown below.

From 1 January 2018 to 31 January 2019

| | Annual Price | Monthly Price |
|------------------|---------------------|---------------------|
| Day Caretaking | \$130,216.00 | \$ 10,851.33 |
| Pool Maintenance | \$ 11,849.00 | \$,987.42 |
| Gardening | \$ 55,980.00 | \$ 4,665.00 |
| Night Caretaking | \$112,955.00 | \$ 9,412.91 |
| Total | <u>\$311,000.00</u> | <u>\$ 25,916.66</u> |

[Steven Carbone accepts that the initial monthly rates will run for 13 months in the first year to avoid termination on the 31st December, and the increased rate will commence on the 1st of February 2019, as listed on page 25 of the contract document].

From 1 February 2019 to 31 January 2020

| | Annual Price | Monthly Price |
|------------------|---------------------|---------------------|
| Day Caretaking | \$135,424.00 | \$ 11,285.33 |
| Pool Maintenance | \$ 12,323.00 | \$ 1,026.92 |
| Gardening | \$ 58,220.00 | \$ 4,851.66 |
| Night Caretaking | \$117,473.00 | \$ 9,789.41 |
| Total | <u>\$323,440.00</u> | <u>\$ 26,953.32</u> |

From 1 February 2020 to 31 January 2021

| | Annual Price | Monthly Price |
|------------------|---------------------|---------------------|
| Day Caretaking | \$140,841.00 | \$ 11,736.74 |
| Pool Maintenance | \$ 12,816.00 | \$ 1,068.00 |
| Gardening | \$ 60,548.00 | \$ 5,045.66 |
| Night Caretaking | \$122,172.60 | \$ 10,181.05 |
| Total | <u>\$336,377.60</u> | <u>\$ 28,031.45</u> |

Schedule 3 Hours of Coverage

1. The Contractor will provide Caretaking Services to the Premises between the hours of 5.00 am – 5.00 pm, Monday to Friday and 9.00 am to 3.00 pm Saturdays and Sundays and will provide after-hours service at all times to respond to emergencies onsite within 1 hour of notification.
2. The Contractor will provide cleaning services to the Premises 7 days each week, which will include a minimum 6 hours on each Saturday and Sunday and any Public Holidays.
3. The Contractor will provide a minimum of one person on site from 5.00 pm to 5.00 am 7 nights a week including Public Holidays.

Extract from Uniqueco Property Services contract signed by strata manager Mr. Robert Crosbie in December 2020 – of special importance was new action to provide security guards from 19:00 hours to 04:00 hours on weekdays, 18:30 hours to 04:00 hours on weekends, and 18:00 hours to 04:00 hours on public holidays (no guarantee of licensed security staff)

<https://www.nswstratasleuth.info/SP52948-Uniqueco-Property-Services-contract-Dec2020.pdf>

Schedule 2 Prices

GST is excluded from the prices shown below.

From 1 February 2021 to 31 January 2024 [Three (3) years]

| | Annual Price | Monthly Price |
|------------------|---------------------|---------------------|
| Day Caretaking | \$142,250.00 | \$11,854.17 |
| Pool Maintenance | \$ 12,944.00 | \$ 1,078.67 |
| Gardening | \$ 61,153.00 | \$ 5,096.08 |
| Night Caretaking | <u>\$123,394.00</u> | <u>\$ 10,282.83</u> |
| Total | <u>\$339,741.00</u> | <u>\$ 28,311.75</u> |

Schedule 3 Hours of Coverage

- 1 The Contractor will provide Caretaking Services to the Premises between the hours of 4.00am to 7.00pm Mondays to Fridays and 9.00am to 3.00pm Saturdays and Sundays and will provide after-hours service at all times to respond to emergencies onsite within one [1] hour of notification.
- 2 The Contractor will provide a Caretaker to the Premises on Public Holidays for a 6 hour shift from 5.00am to 11.00am.
- 3 The Contractor will provide cleaning services to the Premises seven [7] days each week, which will include a minimum six [6] hours per day for Saturdays and Sundays and any Public Holidays.
- 4 The Contractor will provide a minimum of one security person on site from 7.00pm to 4.00am Mondays to Fridays, 6.30pm to 4.00am Saturdays and Sundays and 6.00pm to 4.00am Public Holidays.
- 5 Gardening and Pool hours of coverage are to be sufficient to provide all the services listed at the frequency specified to standards determined by the Quality Assurance Standard document

Missing Uniqueco Property Services contract since EGM on 30 November 2023

Extract from agenda of SP52948 EGM on 30 November 2023:

2 BUILDING & FACILITIES MANAGEMENT AGREEMENT

That in accordance with section 67 of the Strata Schemes Management Act 2015, fee proposals supplied by Uniqueco Pty Ltd and Building Management Australia for building management be tabled and discussed.

Extract from Minutes of SP52948 EGM on 30 November 2023:

2 BUILDING & FACILITIES MANAGEMENT AGREEMENT

Resolved that Uniqueco Pty Ltd be appointed to continue building management services in accordance with pricing schedule tabled for 2024, 2025 & 2026.

Problems with this EGM and the AGM just few weeks before the EGM:

<https://www.nswstratasleuth.info/SP52948-AGM-2023-misconducts-and-risks-24Oct2023.pdf>

<https://www.nswstratasleuth.info/SP52948-Lot-7-with-overdue-levies-on-8Nov2023-allowed-to-vote-and-attend-EGM-on-30Nov2023.pdf>

<https://www.nswstratasleuth.info/SP52948-request-to-Waratah-Strata-Management-to-provide-financial-documents-for-EGM-2023-13Nov2023.html>

<https://www.nswstratasleuth.info/SP52948-Waratah-Strata-Management-failed-to-respond-to-concerns-about-incomplete-agenda-for-EGM-2023-10Nov2023.html>

<https://www.nswstratasleuth.info/SP52948-AGM-2023-dubious-invoices-24Oct2023.pdf>

<https://www.nswstratasleuth.info/SP52948-Lot-200-justification-to-support-Uniqueco-Property-Services-through-false-statements-for-committee-meeting-in-Sep2023.png>

<https://www.nswstratasleuth.info/SP52948-Lot-158-unresolved-common-property-issues-Oct2023.pdf>

<https://www.nswstratasleuth.info/SP52948-committee-members-failed-to-respond-to-Lot-158-complaints-about-EGM-2023-29Nov2023.html>

<https://www.nswstratasleuth.info/SP52948-Admin-Fund-negative-balances-from-31Jan2017-to-29Nov2023.png>