

Subject: Cordial invitation to attend NCAT 2024/00454780
From: SP52948 Lot 158 owner
Date: 8/3/25, 17:09
To: Bruce Copland, John Ward, John Gore

Good afternoon,

As previous SP52948 committee members, you are given an opportunity to defend your actions at pending NCAT case 2024/00454780. It would be unfair not to give you a chance to show how well you represented owners corporation and how you acted in compliance with the laws of the land. But this time, you would have to sign statutory declaration or affidavit, provide evidence to support your statements, and attend the Hearing in person.

Three recent Orders are attached:

- Directions Hearing Order dated 20 February 2025.
- Hearing Notice dated 3 March 2025, scheduled for 22 April 2025.
- Issue of Summonses for Mr. Stan Pogorelsky, Lot 181, dated 7 March 2025.

Mr. Stan Pogoreslky is now ordered to surrender some evidence and attend the NCAT Hearing in person, making cross-examination possible.

It took us 12 years to issue the summonses successfully.

1) Civil case has a relation to Solicitor Adrian Mueller as well (on top of two Police Events which await further actions). This is what the NCAT case is about:

Document 0: NCAT-2024-00454780-001-Points-of-Claim

Document 1: NCAT-2024-00454780-001-explanation-why-Lot-158-uses-phrase-lie

Document 2: NCAT-2024-00454780-001-strata-documents-SSMA-2015-Sec188

Document 3: NCAT-2024-00454780-001-remove-committee-member-Stan-Pogorelsky-SSMA-2015-Sec238-part-1

Document 4: NCAT-2024-00454780-001-remove-committee-member-Stan-Pogorelsky-SSMA-2015-Sec238-part-2

Document 5: NCAT-2024-00454780-001-remove-committee-member-Stan-Pogorelsky-SSMA-2015-Sec238-part-3

Document 6: NCAT-2024-00454780-001-Rescind-Special-By-Law-11-Unreasonable-Communications-SSMA-2015-Sec150

Document 7: NCAT-2024-00454780-001-summons-committee-member-Stan-Pogorelsky

Document 8: NCAT-2024-00454780-001-electronic-delivery-of-documents-and-website-evidence

Document 9: NCAT-2024-00454780-001-Bannermans-Lawyers-conflict-of-interest-and-disclosure

Separately, Section 237 of SSMA 2015 empowers the NCAT the make an order that either all, or part, of the functions of the owners corporation are delegated to a compulsory

strata manager. On 15 January 2025, at Directions Hearing, none of five strata managers and none of the nine committee members appeared. Tribunal member repeated several times that, based on brief readings of Lot 158 submissions, and numerous problems in the complex, there should be a Motion for removing (compulsory) strata manager. Lot 158 does not need to do it themselves, because NCAT has powers to appoint a strata manager on its own motion, by its discretion. The evidence of dysfunctional owners corporation is undeniable and irrefutable.

2) Solicitor Adrian Mueller and details of Police Events are listed as part of Mr. Stan Pogorelsky's case, where he was/is a witness and accessory to Solicitor Adrian Mueller's actions, as much as you all are.

3) Mr. Pogorelsky relied on exposing Lot 158 to ridicule, discrimination, stalking, and intimidation, whilst using lies to protect own interests and interests of small group of his personal friends and owners. Similar behaviour is presented to NCAT and courts for other committee members too.

Their repetitive efforts to undermine Lot 158 evidence and investigative work cannot be excused or accepted as accidental.

In this NCAT case, evidence exists that Mr. Pogorelsky is unfinancial since 1999, when he was elected to be a committee member without disclosure of outstanding debt for gas heating levies (non-democratic process), and used his position to benefit himself as a lot owner and a small group of other owners (who were also unfinancial and allowed to vote, and some of them even be elected as committee members), contrary to the interests of majority of other owners.

To illustrate the point: it took 13 years for Mr. Pogorelsky to admit at an official committee or general meeting that he had enjoyed use of gas heating without Special By-Law and resolution at general meeting, and it took 17 years for Mr. Pogorelsky to admit at an official committee or general meeting that he had enjoyed use of gas heating without paying prescribed levies and 10% simple interest per year, and then continued to mislead the owners about his real debt, directly defrauding owners corporation.

4) NCAT Orders on 20 February 2025 make significant requirements for any party representing SP52948, making it obligatory to attend in person and be forced to respond to cross-examination:

4 On or before 20 March 2025 the respondent shall send, to the applicant and the Tribunal, a copy of all documents on which the applicant intends to rely at the hearing.

5 Any documents so provided are to be in HARD COPY form, with the PAGES NUMBERED, and

an INDEX to facilitate reference to them during the hearing.

6 Any evidence from a witness is to be in the form of a signed witness statement, statutory declaration, or affidavit and each such witness is to be available for cross-examination at the hearing.

5) News from the Police this week was that Waratah Strata Management and Solicitor Adrian Mueller refused to properly co-operate with them. Police was already updated on latest events and plans of actions and what they can or should do now. The same was done with the Insurance company and broker over the weekend.

We trust you will help the Police and NCAT.

Regards,

—Attachments:—

SP52948-Directions-Hearing-Order-20Feb2025.pdf	139 KB
Summons issued to Stan Pogorelsky-7Mar2025.pdf	4.7 MB
Hearing-Notice-of-Listing-22Apr2025.pdf	62.2 KB
NCAT-2024-00454780-001-remove-committee-member-Stan-Pogorelsky-SSMA-2015-Sec238-extract-from-part-1.pdf	299 KB