

Subject: SUMMARY Bannermans Lawyers non-compliance and risks with NCAT 2024/00454780 on 19Sep2025
From: ria@trust4u.pro
Date: 19/9/25, 07:30
To: Alex Tomasko Waratah Strata Management
CC: Genelle Godbee, Stan Pogorelsky, Ramesh Kamini, Joe Spatola, Carlos Fornieles Montoya, Uniqueco Property Services Steve Carbone

Good morning,

It is requested that Waratah Strata Management shares this information with the following parties by Monday 22 September 2025, close of business hours:

- NSW Fair Trading
- Insurance broker and insurance company
- NCAT
- All SP52948 owners

1) As of today, Bannermans Lawyers failed to provide evidence of their retainer, whilst profiteering from high costs paid by SP52948 without any benefits to owners.

2) By providing misleading and false statements to NSW Fair Trading mediation cases in 2020 and 2024, Waratah Strata Management became direct accessory to huge legal costs, without benefiting owners corporation.

Attachment "SP52948-Waratah-Strata-Management-misleading-NSW-Fair-Trading-about-two-mediation-cases-in-2020-and-2024.pdf".

3) By organising and running non-compliant committee meeting on 9 February 2023, Waratah Strata Management became direct accessory to Uniqueco Property Services' monthly salary increase without general meeting and any details of the costs, giving them an extra \$9,044.03 in period from March 2023 to January 2024, in spite of fixed three-year contract for period between 1 February 2021 to 31 January 2024.

Attachment "NCAT-2024-00454780-non-compliant-meeting-raising-salary-for-building-manager-in-spite-of-fixed-term-contract-9Feb2023.pdf".

4) By organising and running non-compliant Annual General Meeting on 30 November 2023, Waratah Strata Management became direct accessory to Uniqueco Property Services' significant contract value increase without valid tender.

Notice of EGM on 30 November 2023 was not listed in Mr. Pogorelsky's witness statement as submitted by Bannermans Lawyers on 20 March 2025, with premeditated and deliberate intentions to hamper Tribunal investigations.

In FY 2024 (period from 1 September 2023 to 31 August 2024), Waratah Strata Management's official documents state that Uniqueco Property Services earned \$415,012.63, split into two account codes ("Maint Bldg -- Building Management" and "Maint Bldg--Building Management Expenses"), increase of 20.81% compared to previous year.

In FY 2025 (period from 1 September 2024 to 31 August 2025), Waratah Strata Management's official documents state that Uniqueco Property Services earned \$454,942.80, increase of 9.62% compared to previous year.

In SP52948 Delegated Functions Report for period 1 January 2024 to 31 December 2024, which Waratah Strata Management hid from all owners and NCAT (allegedly created on 8 April 2025 by Marth Lim), and did not publish it on their website even as late as 24 August 2025, it clearly listed sum of \$489,040.73 for Uniqueco Property Services in Creditors Payments.

This information does not match Waratah Strata Management Income & Expenditure statements.

Extracts from those reports, with cumulative figures within financial years (FY 2024 is for period 1 September 2023 to 31 August 2024, and FY 2025 is for period from 1 September 2024 to 31 August 2025):

Date	Building Management (Acc 161300)	Building Management Expenses (Acc 161350)
Dec 2023	\$115,511.92	\$5,511.67
Jan 2024	\$144,389.90	\$6,385.22
Feb 2024	\$180,973.23	\$7,731.78
Mar 2024	\$217,556.56	\$8,386.23
Apr 2024	\$254,139.89	\$9,519.17
May 2024	\$290,723.22	\$10,363.90
Jun 2024	\$327,306.55	\$11,254.90
Jul 2024	\$363,889.88	\$13,193.02
Aug 2024	\$400,473.21	\$14,539.42
Sep 2024	\$38,041.94	\$0.00
Oct 2024	\$75,376.98	\$0.00
Nov 2024	\$113,106.79	\$0.00
Dec 2024	\$150,593.47	\$0.00

Summarising these figures for period 1 January 2024 to 31 December 2024, two values are obtained for Uniqueco Property Services earnings:

Building Management (Acc 161300)	Building Management Expenses (Acc 161350)
\$444,582.51	\$9,027.75

In total, Uniqueco Property Services earnings in period from 1 January 2024 to 31 December 2024 amounted to \$453,610.26.

The difference between figure in Delegated Functions Report for period 1 January 2024 to 31 December 2024 and monthly Income & Expenditure reports for period 1 January 2024 to 31 January 2024 amounts to \$35,430.47.

Attachment "NCAT-2024-00454780-non-compliant-EGM-and-fraudulent-tender-for-building-management-30Nov2023.pdf".

5) By organising and running non-compliant Extraordinary General Meeting on 22 February 2024, Waratah Strata Management became direct accessory to three major renovations being completed without evidence of registration or updates of By-Laws, and fully paid fees by those three owners.

In Mr. Pogorelsky's witness statement as submitted by Bannermans Lawyers on 20 March 2025, this EGM was not listed, with premeditated and deliberate intentions to hamper Tribunal investigations.

In Mr. Pogorelsky's witness statement as submitted by Bannermans Lawyers on 20 March 2025, Certificate of Title edition 16 dated 11 February 2021 ended with latest updates AQ793279 (consolidation of Registered By-Laws), and showed there were no updates to By-Laws since that date and do not include updates presented on page 7 (Registered By-Laws) dated 17 November 2022. Latest update of the By-Laws was on 17 November 2022, which directly conflicts with statements for Certificate of Title edition 16 dated 11 February 2021.

Attachment "NCAT-2024-00454780-non-compliant-EGM-and-unregistered-major-renovations-22Feb2024.pdf".

6) By organising and running non-compliant committee meeting on 2 March 2024, Waratah Strata Management became direct accessory to helping Solicitor Adrian Mueller's earn \$3,905.00 without disclosure to owners.

Committee meeting on 2 April 2024 was not listed in Mr. Pogorelsky's witness statement as submitted by Bannermans Lawyers on 20 March 2025, with premeditated and deliberate intentions to hamper Tribunal investigations.

Attachment "NCAT-2024-00454780-non-compliant-meeting-illegally-engaging-Solicitor-Adrian-Mueller-2Apr2024.pdf".

7) By organising and running non-compliant committee meeting on 23 May 2024, Waratah Strata Management became direct accessory to significantly delaying fire safety upgrades as per long-standing City of Ryde orders, whilst allowing Core Engineering to run false tender.

Attachment "NCAT-2024-00454780-non-compliant-and-non-existent-meeting-23May2024.pdf".

8) By organising and running four non-compliant meetings in 2025 (two committee meetings and two Extraordinary General Meetings), Waratah Strata Management became direct accessory to illegal engagement of Bannermans Lawyers (who had direct conflict of interest due to their actions in 2011 and involvement in Lot 79 major renovations that started without approval at general meeting), whilst hampering Lot 158 and Tribunal investigations.

As of today, legal costs for FY 2025 are \$52,510.71 without disclosure to owners.

Attachment "NCAT-2024-00454780-non-compliant-meeting-illegally-engaging-Bannermans-Lawyers-6Jan2025.pdf".

Attachment "NCAT-2024-00454780-non-compliant-meeting-illegally-ratifying-engagement-of-Bannermans-Lawyers-6Feb2025.pdf".

Attachment "NCAT-2024-00454780-non-compliant-EGM-illegally-ratifying-engagement-of-Bannermans-Lawyers-1May2025.pdf".

9) As of today, Waratah Strata Management appears to have failed to update Strata Hub with details of AGM 2024, long after the due date, showing utter ignorance of the laws.

10) As of today, Waratah Strata Management failed to explain and provide full evidence of finances on how is Admin Fund managed:

- At the end of FY 2024, negative balance (deficit) in Admin Fund was \$45,584.29.
- At the end of FY 2025, negative balance (deficit) in Admin Fund was \$72,572.18.

11) As of today, \$23,686.71 was paid for insurance commissions to Waratah Strata Management in FY 2025. Waratah Strata Management failed to disclose these figures at any meeting.

Insurance commissions were paid to Waratah Strata Management in amount of \$71,536.69 since 2018 without any benefits to owners.

Would a reasonable person call this another (repetitive) fraud by Waratah Strata Management in FY 2025:

- Waratah Strata Management did not publish any expenses for insurance renewal (due on 21 September 2024) even as late as 22 October 2024.
- Waratah Strata Management finally published expenses for HALF-YEAR insurance renewal in amount of \$122,690.28 on 23 October 2024, without disclosure of commissions.
- Waratah Strata Management published expenses for HALF-YEAR insurance renewal (due on 21 March 2025) on 26 March 2025; document published on 26 March 2025 claimed that insurance premiums were paid in total amount of \$273,437.44 (GST excl).
- Waratah Strata Management allegedly did not receive any commissions, although they had published resolution in Motion 14 for AGM on 28 November 2024 that owners "acknowledged commissions and training services estimate at less than \$100.00 per person per year", amounting to around \$21,800.00 (for the public record, Waratah Strata Management failed to declare insurance commissions in agenda for AGM 2024).
- On 4 July 2025 new insurance policy for the same renewal was found which listed insurance commissions as \$13,750.00.
- On 3 September 2025 Waratah Strata Management made urgent secret request to insurance broker to increase the insurance cover (currently, property valued at \$177,400,000.00 was insured for only \$153,877,500.00).

12) As of today, whilst failing to inform owners or publish NCAT Orders, Waratah Strata Management failed to comply with Orders made on:

- 22 April 2025
- 22 July 2025

13) As of today, Waratah Strata Management still refuses to provide owners with Mr. Stan Pogorelsky's admissions of unpaid gas heating levies. He contradicted his own calculations in 2015 and 2025.

His debt for unpaid gas heating levies is much larger than expected (figure for his outstanding levies was calculated in April 2025 as \$13,091.39 but after obtaining Mr. Pogorelsky's signed statement to NCAT on 22 July 2025, losses to owners corporation became much larger).

In addition, he was a primary accessory in organising two non-compliant meetings on 9 July 2012 and 26 April 2013 that created massive insurance losses and legal risks.

Attachment "SP52948-Lot-181-gas-levy-payments-self-assessment-miscalculated-10Jun2015.png".

Attachment "SP52948-Stan-Pogorelsky-self-calculated-payments-for-gas-heating-levies-17Mar2025.png".

Attachment "HNCAT-2024-00454780-non-compliant-meeting-in-Stan-Pogorelsky-Unit-181-9Jul2012.pdf".

Regards,

Stan Pogorelsky

Gas Charges paid by S & T Pogorelsky on unit 181 - SP52948

From 1999 to 2018

Date Paid	Period applicable	\$	
1999	1/9/99 to 31/8/2000		Moved in 1/11/98
2000	1/9/2000 to 31/8/01	100.00	
2001	1/9/01 to 31/8/02	50.00	
2002	1/9/02 to 31/8/03	55.00	\$50+\$5GST
2003	1/9/03 to 31/8/04	55.00	
2004	1/9/04 to 31/8/05	55.00	
2005	1/9/05 to 31/8/06	55.00	
2006	1/9/06 to 31/8/07	55.00	
2007	1/9/07 to 31/8/08	55.00	
2008	1/9/08 to 31/8/09	55.00	
2009	1/9/09 to 31/8/10	55.00	
2010	1/9/10 to 31/8/11	55.00	\$55 Credit on 1/2/11 and Debit \$55 on 2/5/11
2011	1/9/11 to 31/8/12	55.00	
2012	1/9/12 to 31/8/13		Not billed by BCS
2013	1/9/13 to 31/8/14		Not billed by BCS
2014	1/9/14 to 31/8/15	55.00	
2015	1/9/15 to 31/10/15	311.66 See below	From our AGM in November 2014 new rate is \$50+\$5 per quarter and should be billed quarterly on BCS statement to unit holders
2016	1/11/15 to 31/1/16	55.00	
	1/2/16 to 30/04/16	55.00	
	1/5/16 to 31/7/16	55.00	
	1/8/16 to 31/8/16	18.34	
	1/9/16 to 31/10/16	36.66 Overpaid	In summary I owe you \$110.00 for 2012 and 2013. And \$18.33 x 2 = \$36.66 for Sept & Oct 2014
2017	1/9/16 to 31/8/17	220.00 Billed by Waratah	

As well you should have billed me for gas usage in

Quarter 1/11/14 to 31/01/15	55.00
Quarter 1/02/15 to 30/04/15	55.00
Quarter 1/05/15 to 31/07/15	55.00
Quarter 1/08/15 to 31/10/15	55.00
	220.00
Less what you charged for 2014	55.00
	165.00

So I owe you \$110 +\$36.66+\$165 = \$311.66 which will take me up to Quarter ended 31/10/15. Paid on 29/6/15

Please invoice (email to me) me for these charges so that this matter can be put to rest.

SP52948-Stan-Pogorelsky-self-calculated-payments-for-gas-heating-levies-17Mar2025.png

ANNEXURE A

EX G

Period From	Period To	Date Due (Invoiced)	Amount Owning	Short Paid	Period	Date Paid	Amount Paid	Days overdue	Total Interest	Notice Details
01-09-99	31-08-01	23-08-00	\$100.00		Per Annum	23-08-00	\$100.00	0	\$0.00	
01-09-01	31-08-02	01-08-01	\$50.00		Per Annum	01-08-01	\$50.00	0	\$0.00	
01-09-02	31-08-03	21-07-02	\$55.00		Per Annum	21-07-02	\$55.00	0	\$0.00	
01-09-03	31-08-04	31-07-03	\$55.00		Per Annum	31-07-03	\$55.00	0	\$0.00	
01-09-04	31-08-05	01-11-04	\$55.00		Per Annum	01-11-04	\$55.00	0	\$0.00	
01-09-05	31-08-06	01-11-05	\$55.00		Per Annum	01-11-05	\$55.00	0	\$0.00	
01-09-06	31-08-07	01-11-06	\$55.00		Per Annum	01-11-06	\$55.00	0	\$0.00	
01-09-07	31-08-08	01-11-07	\$55.00		Per Annum	01-11-07	\$55.00	0	\$0.00	
01-09-08	31-08-09	01-11-08	\$55.00		Per Annum	01-11-08	\$55.00	0	\$0.00	
01-09-09	31-08-10	26-10-09	\$55.00		Per Annum	26-10-09	\$55.00	0	\$0.00	
01-09-10	31-08-11	24-10-10	\$55.00		Per Annum	24-10-10	\$55.00	0	\$0.00	
01-09-11	31-08-12	07-11-11	\$55.00		Per Annum	07-11-11	\$55.00	0	\$0.00	
01-09-12	31-08-13	01-08-14	\$55.00		Per Annum	01-08-14	\$55.00	0	\$0.00	Issued 3/7/14 showing period 1/9/14 - 31/8/15
01-09-13	31-11-13	29-06-15	\$55.00		Per Quarter	29-06-15		0	\$0.00	Issued 17/7/15 - Due 1/8/15 - Paid 29/6/15?
01-12-13	28-02-14	29-06-15	\$55.00		Per Quarter	29-06-15		0	\$0.00	Issued 17/7/15 - Due 1/8/15 - Paid 29/6/15?
01-03-14	31-05-14	29-06-15	\$55.00		Per Quarter	29-06-15		0	\$0.00	Issued 17/7/15 - Due 1/8/15 - Paid 29/6/15?
01-06-14	31-08-14	29-06-15	\$55.00		Per Quarter	29-06-15		0	\$0.00	Issued 17/7/15 - Due 1/8/15 - Paid 29/6/15?
01-09-14	30-11-14	29-06-15	\$55.00		Per Quarter	29-06-15		0	\$0.00	Issued 17/7/15 - Due 1/8/15 - Paid 29/6/15?
01-12-14	28-02-15	29-06-15	\$55.00		Per Quarter	29-06-15	\$311.66	0	\$0.00	Issued 17/7/15 - Gas usage up to 31/10/15
		29-06-15				01-08-16	\$18.34	399	\$2.00	Part Paid Late
01-03-15	31-05-15	03-11-15	\$55.00		Per Quarter	03-11-15	\$55.00	0	\$0.00	Issued 25/9/15 - Due 1/11/15 - Paid 3/11/15
01-06-15	31-08-15	01-02-16	\$55.00		Per Quarter	01-02-16	\$55.00	0	\$0.00	Issued 30/12/15 - Due 1/2/16 - Paid 1/2/16
01-09-15	30-11-15	02-05-16	\$55.00		Per Quarter	02-05-16	\$55.00	0	\$0.00	Issued 24/3/16 - Due 1/5/16 - Paid 2/5/16
01-12-15	28-02-16	01-08-16	\$55.00	\$55.00	Per Quarter	30-08-19		1124	\$16.94	Shortpaid - Assume to be paid on 30/8/19
01-03-16	31-05-16	20-09-16	\$55.00		Per Quarter	20-09-16	\$36.66	0	\$0.00	
		20-09-16		\$18.34		30-08-19		1074	\$5.40	Shortpaid - Assume to be paid on 30/8/19
01-06-16	31-08-16	01-05-17	\$55.00	\$55.00	Per Quarter	30-08-19		851	\$12.82	Not Paid - Assume to be paid on 30/8/19
01-09-16	31-08-17	01-05-17	\$220.00		Per Annum	01-05-17	\$220.00	0	\$0.00	
01-09-17	31-08-18	11-05-18	\$220.00		Per Annum	11-05-18	\$220.00	0	\$0.00	
01-09-18	31-08-19	01-05-19	\$220.00		Per Annum	01-05-19	\$220.00	0	\$0.00	
Total Due			\$2,075.00	\$128.34	Total Paid			\$1,946.66	Shortpaid Interest	\$128.34
										\$7.86
										\$136.20
										Paid 8/10/19
01-09-19	31-08-20	27-03-20	\$220.00		Per Annum	01-05-20	\$220.00			
01-09-20	31-08-21	18&19/03/21	\$270.00		Per Annum	03-05-21	\$270.00			
01-09-21	31-08-22	29-03-22	\$270.00		Per Annum	02-05-22	\$270.00			
01-09-22	31-08-23		\$270.00		Per Annum	01-05-23	\$270.00			
01-09-23	31-08-24		\$270.00		Per Annum	01-05-24	\$270.00			
			\$1,300.00					\$1,300.00		

Notes:

- 02-08-00 EC Meeting set charge at \$50.00 per annum. From 2002 increased to \$50 + GST per annum (Copy Attached)
- 07-08-00 R&H issue invoices 1/9/99 - 31/8/01 \$100 for 2 years
- 17-10-12 AGM approved By-Law. No mention of amount.
- 27-11-13 EC Meeting confirmed charge at \$50.00 + GST per quarter.
- 14-04-14 R&H issue letter confirming \$220 p.a. incl GST.
- 16-03-17 EC Meeting set charge at \$200 + GST per annum from 1/9/17.
- EC Meeting set charge at \$270 + GST per annum from 1/9/20.

Attachments:

NCAT-2024-00454780-non-compliant-EGM-and-fraudulent-tender-for-building-management-30Nov2023.pdf	3.1 MB
NCAT-2024-00454780-non-compliant-meeting-raising-salary-for-building-manager-in-spite-of-fixed-term-contract-9Feb2023.pdf	596 KB
SP52948-Waratah-Strata-Management-misleading-NSW-Fair-Trading-about-two-mediation-cases-in-2020-and-2024.pdf	1.0 MB
NCAT-2024-00454780-non-compliant-and-non-existent-meeting-23May2024.pdf	1.1 MB
NCAT-2024-00454780-non-compliant-EGM-and-unregistered-major-renovations-22Feb2024.pdf	1.7 MB
NCAT-2024-00454780-non-compliant-meeting-illegally-engaging-Solicitor-Adrian-Mueller-2Apr2024.pdf	1.3 MB
NCAT-2024-00454780-non-compliant-meeting-illegally-engaging-Bannermans-Lawyers-6Jan2025.pdf	3.4 MB
NCAT-2024-00454780-non-compliant-meeting-illegally-ratifying-engagement-of-Bannermans-Lawyers-6Feb2025.pdf	3.1 MB

NCAT-2024-00454780-non-compliant-EGM-illegally-ratifying-engagement-of-Bannermans-Lawyers-1May2025.pdf	3.5 MB
SP52948-Lot-181-gas-levy-payments-self-assessment-miscalculated-10Jun2015.png	826 KB
SP52948-Stan-Pogorelsky-self-calculated-payments-for-gas-heating-levies-17Mar2025.png	1.0 MB
NCAT-2024-00454780-non-compliant-meeting-in-Stan-Pogorelsky-Unit-181-9Jul2012.pdf	712 KB