

Subject: OFFICIAL REQUEST NCAT 2024/00454780 - SP52948 failed to comply with Tribunal Order at second Directions Hearing dated 20 February 2025

From: ria <ria@vk2cot.info>

Date: 23/3/25, 10:44

To: Alex Tomasko, Robert Odenthal

Robert Crosbie, Heath Crosbie

Nicolas Cozic, Stan Pogorelsky

CC: Jeffery Wang, Carlos Fornieles Montoya,  
Genelle Godbee, Andrew Ip, Ramesh Kamini,  
Joe Spatola, Basil Gionea, Kathryn Cutler, Uniqueco Property Services

Good morning,

Three more days passed by.

Based on fact that Lot 158 did not receive any documents from SP52948 as of morning on 23 March 2025, the following official request is submitted:

1) SP52948 to provide unredacted evidence that these two submissions were delivered to Lot 158:

- NCAT Orders 4 and 5 at Directions Hearing on 15 January 2025 (deadline was 12 February 2025).
- NCAT Orders 4 and 5 at Directions Hearing on 20 February 2025 (deadline was 20 March 2025).

The is what is required for NCAT, NSW Fair Trading, and the Police (if the letters/parcels were not delivered to Lot 158, and they were stolen or misappropriated, they create risk to Lot 158 due to potential leaks of private and sensitive data):

- Proof that the respondent engaged Australia Post and/or express couriers to deliver printed files.
- Proof of letter/parcel payments to Australia Post and/or express couriers.
- Signature of the person(s) who received the documents.
- Date and exact times when the parcels/letters were posted.
- Date and time when parcels/letters were delivered to Lot 158.
- Evidence of what Waratah Strata Management and committee members did when they received Lot 158 warnings about missing documents on 14 February 2025, 19 February 2025, and 20 March 2025.

2) If SP52948 refuses to respond to this letter, or take prompt actions, Lot 158 requests (this is a demand, not a plea) that Uniqueco Property Services and SP52948 representatives take immediate action to:

- Review all CCTV recordings on camera in front of the entrance to the complex (near

townhouse 219) and two cameras on ground floor of Block A for week starting Monday, 17 March 2025 (these CCTV recordings must also be preserved as NCAT and Police evidence) and confirm if alleged delivery to Lot 158 in NCAT case 2024/00454780 really happened.

- If alleged delivery to Lot 158 in case 2024/00454780 cannot be confirmed or found on CCTV recordings, SP52948 must provide written statement to NCAT and Lot 158 promptly.
- If alleged delivery to Lot 158 in case 2024/00454780 cannot be confirmed or found on CCTV recordings, SP52948 must open a Police Event for suspicion of stolen documents that might endanger Lot 158 safety due to personal and sensitive data leakages to third-parties.

Thank you

On 20/3/25 19:50, SP52948 Lot 158 owner wrote:

Good evening,

FYI

----- Forwarded Message -----

Subject: COMPLAINT: NCAT 2024/00454780 - SP52948 failed to comply with Tribunal Order at second Directions Hearing dated 20 February 2025

Date: Thu, 20 Mar 2025 19:47:22 +1100

To: [ccdsydney@ncat.nsw.gov.au](mailto:ccdsydney@ncat.nsw.gov.au)

Dear Tribunal members,

As of evening on 20 March 2025 at 19:45 hours, SP52948 has not provided me with any hard copies of responses, as listed in your Directions Hearing Orders 4 and 5 on 20 February 2025:

- I did not receive them in the letterbox,
- I did not receive them in person,
- I did not get any courier calls or messages.

This is a repeat of their failure to comply with NCAT Orders at Directions Hearing on 15 January 2025, where the respondent did not satisfy Orders 4 and 5 and to this day, the document that was allegedly sent by Bannermans Lawyers via express post never arrived (deadline was 12 February 2025 and today is 20 March 2025).

In addition, here is the status for other NCAT orders and correspondence as of 20 March 2025. Would a reasonable person consider Waratah Strata Management and committee

members exhibiting utmost contempt of court in NCAT case 2024/00454780? Let these facts speak for themselves:

1) Application Notice, issued by NCAT on 6 December 2024.

- Not published on six notice boards.
- Not published on Waratah Strata website.
- There is no evidence that it was provided in any official correspondence to owners in emails or letters.
- Full details of the case not provided to any owner.

2) Notice of Directions Hearing Listing, issued by NCAT on 10 December 2024.

- Not published on six notice boards.
- Not published on Waratah Strata website.
- There is no evidence that it was provided in any official correspondence to owners in emails or letters.
- Full details of the case not provided to any owner.

3) NCAT Orders issued at first Directions Hearing on 15 January 2025.

- Not published on six notice boards.
- Not published on Waratah Strata website.
- There is no evidence that it was provided in any official correspondence to owners in emails or letters.
- Full details of the case not provided to any owner.

4) Notice of second Directions Hearing Listing, issued by NCAT on 21 January 2025.

- Published on notice boards on 28 January 2025 without full details of the case.
- Not published on Waratah Strata website.
- There is no evidence that it was provided in any official correspondence to owners in emails or letters.
- Full details of the case not provided to any owner.

5) Notice of Hearing Listing, issued by NCAT on 3 March 2025.

- Published on six notice boards 10 days after the NCAT listing.
- Not published on Waratah Strata website.
- There is no evidence that it was provided in any official correspondence to owners in emails or letters.
- Full details of the case not provided to any owner.

6) Issues of summonses for Lot 181, delivered by NCAT on 7 March 2025.

- Not published on notice boards.
- Not published on Waratah Strata website.
- There is no evidence that it was provided in any official correspondence to owners

in emails or letters.

- Full details of the case not provided to any owner.

7) Before, during, and after second Directions Hearing on 20 February 2025, I requested that Bannermans Lawyers produce evidence of the following to the Tribunal and Lot 158 and they failed to do it:

- Unredacted electronic copy of all email correspondence between SP52948 representatives and Bannermans Lawyers since 10 December 2024.
- Unredacted electronic copy of email(s) that provided Bannermans Lawyers with signed version of their Standard Costs Agreement before attending Directions Hearing on 15 January 2025.
- Unredacted electronic copy of email(s) that provided Bannermans Lawyers with minutes of committee meeting on 6 January 2025 before attending Directions Hearing on 15 January 2025.
- Unredacted electronic copy of email(s) that provided Bannermans Lawyers with signed version of their Standard Costs Agreement before attending Directions Hearing on 20 February 2025.
- Unredacted evidence that all owners were sent the full agenda for committee meeting (via email and Australia Post) in a timely manner before scheduled meeting on 6 January 2025.
- Unredacted evidence that all owners were sent the full agenda for committee meeting (via email and Australia Post) in a timely manner before scheduled meeting on 6 February 2025.
- Proof that agenda and minutes for meetings on 6 January 2025 and 6 February 2025 were published on Waratah Strata Management website before, on, and after the meetings in a timely manner.
- Proof that minutes for meeting on 6 February 2025 were published on six notice boards before or on 20 February 2025.
- Proof that the respondent engaged express courier to deliver printed files to Lot 158 before, on, or after 12 February 2025, as per Directions Hearing Orders received on 15 January 2025. The evidence must include proof of express courier payment, delivery to signature of the person who received your documents, date when these events happened, and evidence what Waratah Strata Management and committee members did when they received Lot 158 about missing documents on 14 and 19 February 2025.