

公寓楼生活—邻里和睦相处

您住的是单元公寓或联排公寓吗？如果是，您可能就属于公寓楼居住计划成员。

为了使您在公寓楼的生活更顺畅舒适，每一项公寓楼居住计划都列出了一系列规定，详细阐述了您可以做以及不宜做的事情。这些规定被称之为“细则”。



何为细则？

细则指的是一系列规定，涵盖了公寓楼生活的每一方面，诸如宠物饲养、停车、噪音、儿童活动、干洗、地板装饰及房屋装修或改造等。细则由业主权益团体制定或修改，用以满足所有业主的需求，有助于公寓楼居住计划的顺利实施。业主权益团体（由所有业主组成）负责监管公寓楼居住计划的整体实施情况，包括敦促人人遵守细则。

我如何获悉细则的具体规定？

无论您是业主还是租客，当您搬入公寓时都可能收到一份书面细则。如果您没有收到，可以咨询您的公寓楼物业管理员、物业经理或是业主权益团体的秘书。

频繁的钢琴练习带来的噪音！

张先生及其家人一同住在一栋大公寓楼中的一间单元公寓里，儿子今年12岁，在学校学习音乐，每天都必须练习钢琴。

但是张先生收到公寓楼居住计划负责秘书的来信，称有人投诉练习钢琴时产生的噪音太大，信里还说，张先生违反了细则中不对公寓楼中别的居民造成干扰的规定，并警告说，如果今后还存在此噪音干扰，业主权益团体将采取措施，阻止张先生家人练习钢琴。

张先生因此非常苦闷。他向公寓楼居住计划负责秘书解释，称因为要考试，儿子必须多练习，但是秘书坚称不得再有此类噪音。双方因而没能达成共识。

四周后，张先生收到了一封来自 Fair Trading 办公室的信，称就其违反细则一事，业主权益团体希望与其开会协调解决方案。

调解人致电张先生，向其解释了整个流程，并告诉张先生说这是一个很好的机会，可以与公寓楼居住计划负责秘书及其它业主一起坐下来协调，找到解决问题的办法。如果张先生需要一位翻译，协调人还可以为其安排。张先生于是同意参加协调会。

协调会在市区举行。到会的有张先生、公寓楼居住计划负责秘书及因噪音而投诉的 Wilson 先生。协调人为张先生安排了一位翻译。会议持续了三个小时，双方都对整个事件进行了解释。

张先生表示，钢琴练习对儿子非常重要。而 Wilson 先生则称，他的工作需要轮班，却总是被钢琴声吵醒。同时他也表示，自己在学校也学过大提琴，完全明白练习的重要性，但问题在于自己总被吵醒，而非钢琴本身。

多轮讨论过后，协调人帮助他们达成了协议，制定了时间表，既允许 Wilson 先生可以睡个好觉，又让张先生的儿子有时间练习钢琴。两位邻居都对此协议表示满意。



备注：

请注意，NSW 政府正在重审有关公寓楼居住计划的法律。新的法律预计将在 2014 年内生效。

公寓楼居住者如需帮助，敬请拨打 13 32 20 联系 Fair Trading 机构。

Fair Trading 也开展公寓楼居住计划调解服务，专家参谋为您解决各种复杂问题与争议。

语言帮助请拨打 13 14 50 电话翻译服务。

详情请访问 www.fairtrading.nsw.gov.au

Living with your neighbours

Do you live in a unit or townhouse? If so, you probably live in a *strata scheme*.

To help make strata life run smoothly, every strata scheme has to have a set of rules that outline what people can and can't do. These are called *by-laws*.



What are by-laws?

By-laws are rules covering many aspects of strata life such as keeping pets, parking, noise, children's activities, drying washing, floor coverings and doing renovations or alterations. By-laws can be made or changed by the *owners corporation* and are there to meet the needs of all owners and to assist with the running of the strata scheme. The owners corporation (which is made up of all owners), has responsibility for the overall management of the scheme, including making sure everyone complies with the by-laws.

How do I find out what's in the by-laws?

Whether you are an owner or tenant, you probably received a copy of the by-laws when you moved in. If you don't have a copy, ask your strata managing agent, property manager or the secretary of the owners corporation.

Case study:

Too much piano practice!

Mr Zhang owns a unit in a large block of flats. He lives there with his family. His 12 year old son is studying music at school and must practice piano every day.

However Mr Zhang received a letter from the Secretary of the strata scheme saying there were complaints about the noise of the piano practice. The letter stated they were breaking the by-law about not disturbing other people in the building. It warned that if the noise continued the owners corporation would take action against Mr Zhang.

Mr Zhang was very worried. He spoke to the Secretary to explain his son had to practice for exams, but the Secretary said the noise had to stop. They couldn't reach an agreement.

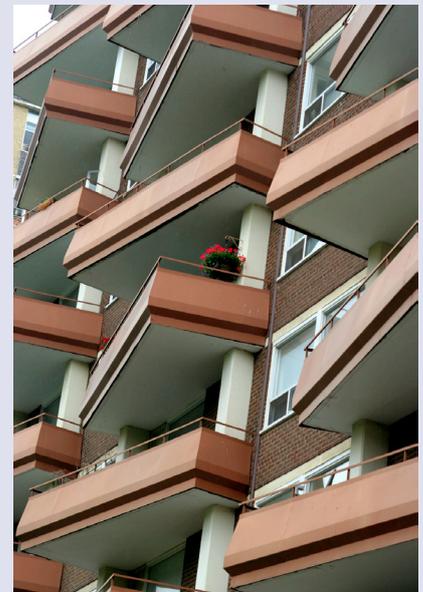
Four weeks later, Mr Zhang received a letter from the NSW Fair Trading stating that the Owners Corporation were seeking a mediation session with him for breaking the by-laws.

The mediator called Mr Zhang to explain the process and reassure him that this was an opportunity to get together with the Secretary and other owners to discuss the issue and try to find a solution that worked for them all. The mediator would arrange for an interpreter for Mr Zhang if he wanted one. Mr Zhang agreed to attend mediation.

The mediation was held in the city. Mr Zhang attended along with the Secretary and Mr Wilson who had complained about the noise. The mediator had arranged for an interpreter. The session went for three hours and both sides were able to explain their situation.

Mr Zhang explained how important the piano practice was for his son. Mr Wilson explained he was a shift worker and the piano was waking him up. Mr Wilson also said he had played cello at school and understood how important it was. The problem for him was being woken up, not the piano itself.

After further discussion, the mediator helped them reach an agreement to have a time schedule that would allow Mr Wilson to sleep and would allow Mr Zhang's son to practice. Both neighbours were pleased with this arrangement.



Note:

Please be aware that the strata scheme laws are currently being reviewed by the NSW Government. The new laws are expected to come into operation sometime in 2014.

For assistance for people living in strata schemes, call Fair Trading on **13 32 20**.

Fair Trading also runs the Strata Mediation Service with specialist staff who can help with complex problems and disputes.

For language assistance call the Telephone Interpreting Service (TIS) on 13 14 50. Visit www.fairtrading.nsw.gov.au