

QLD WEBINAR

Is "Sorry" the Hardest Word?
The Role of Apologies in Strata



'Sorry, Not Sorry: Do Apologies Have A Place In Strata?'

**LookUpStrata Webinar October 2024
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- Disclaimers



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So what is an apology anyway?

- *‘a word or statement saying sorry for something that has been done wrong or that causes a problem’* (Source: Oxford Dictionary)
- *‘an expression of sympathy or regret and may include an admission of fault’* (Source: Civil Liability Act 2002 NSW)

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Apologies in society

- [Medicine](#)
- [The Law](#)
- [Government agencies](#)

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Apologies in Strata: a Queensland perspective

- Tristan Place [2024] QBCCMCmr 64 (20 February 2024)

[74] The applicant seeks an order compelling the respondent to apologise for causing upset, embarrassment, and increased difficulty for owners trying to sell or lease lots in the scheme.

[75] An apology is not a form of remedy specifically provided for under the Act. The purpose of an order of an adjudicator is to resolve a dispute, and there is a wide scope to do so, but it is commonly held that the more appropriate remedy is to make an appropriate order relevant to the substantive dispute.

[76] I am not satisfied an apology, particularly one made under compulsion, would resolve the dispute. Therefore, I decline to make the order sought.

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Apologies in Strata: what might they achieve?

- Closure
- Clarity
- Prevent further disputes
- Improve governance
- Enhance scheme harmony
- Improve property values

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Apologies in Strata: risks

- Legal liability
- Creates expectations
- Resentment if an apology is 'forced'
- Doesn't address cause
- Not appropriate for technical issues
- Delays and costs if the apology process is drawn out

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Apologies in Strata: the Committee perspective

- Would need to be an actual decision
- Is it 'reasonable'?
- Is there an alternative path?

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Apologies in Strata: the Owner perspective

- How much time, effort and emotional investment is it worth?
- Will it positively change your life?
- Will it improve your property values?

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Apologies in Strata: the Strata Manager or Onsite Manager perspective

- Will it impact on the value of your contract/engagement?
- How does it change your service offering?
- Is the relationship retrievable?

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So, ok: what does an apology look like?

- Express regret
- Explain – but keep it brief
- Acknowledge any harm you've caused
- Say you'll try not to do it again
- Offer to repair
- Ask for forgiveness (but let go of expectations)

(Source: New York Times, 15 February 2024)

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Best Practice Tips

1. Is It What You Really Want?
2. Be Reasonable
3. Be Genuine
4. Be Realistic
5. Avoid and Prevent

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Questions?
Comments?

Reach out

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