

**Submission
No 8**

**INQUIRY INTO FURTHER INQUIRY INTO THE
REGULATION OF BUILDING STANDARDS**

Name: Bing Xue
Date Received: 5 August 2021

Hi all

I got your contact from ABC Josh.

I am an off the plan buyer of an apartment of

Parramatta NSW.

As you may know, the building has received a prohibition order from building commissioner David Chandler on the 01/07/2021. this original order prohibits:

- the issue of an occupation certificate in relation to the Building until the Order is revoked by the Secretary, and
- **the registration of a strata plan for a strata scheme** in relation to the Building until the Order is revoked by the Secretary.

because 30/08/2021 is final sunset date. after this date we can claim the refund of 10% deposit.

unfortunately on 22/07/2021, the prohibition order has been changed by **Matthew Whitton**

Director Consumer, Building and Property NSW Fair Trading Department of Customer Service .

Now the order only prohibits the issue of an occupation certificate. "**prohibition of the registration of a strata plan**" **has been removed from the order**. the developer is now registering the Strata Plan and we can not claim the refund if the developer has the registration of strata plan before the final sunset date of 30/08/2021. We will be locked in the contract forever and pay a lot in the future.

What caused Matthew Whitton to change the order and leave me in a very hard situation? why the building commission office allow the developer to register the strata plan although the major defects is yet to be repaired?

we signed the contract 5 years ago, hoping to have a new home for our family. but we have been waiting for 5 years for nothing. Due to our financial situation we can only buy one apartment. we can not afford the endless waiting. we need the deposit back and look for other apartment for my family.

But now the developer can register the strata plan under the new prohibition order and we will never jump out of this nightmare. I have attached those 2 prohibition orders for your reference. one of the original one is not available from Fairtrading website anymore.

I want the building commissioner to use the original prohibition order which prohibit the developer to register the strata plan.

Appreciate all your care and assistance on this matter.

thanks!

Bing Xue& Yao Ma& their 2 kids