



SEANAD ÉIREANN

**AN BILLE UM FHORBAIRTÍ ILAONAD 2009
MULTI-UNIT DEVELOPMENTS BILL 2009**

**LEASUITHE A RINNE AN DÁIL
AMENDMENTS MADE BY THE DÁIL**

SEANAD ÉIREANN

AN BILLE UM FHORBAIRTÍ ILAONAD 2009 [BILLE SEANAID ARNA LEASÚ AG AN DÁIL]

MULTI-UNIT DEVELOPMENTS BILL 2009 [SEANAD BILL AMENDED BY THE DÁIL]

*Leasuithe a rinne an Dáil
Amendments made by the Dáil*

*[The page and line references in this list of amendments
are to the text of the Bill as passed by Seanad Éireann]*

SECTION 1

1. In page 4, subsection (1), lines 19 to 22 deleted and the following substituted:

“common areas), for the multi-unit development have been completed in accordance with—

- (a) all relevant planning permissions under the Planning and Development Acts 2000 to 2009,
- (b) the requirements arising under the Building Control Acts 1990 and 2007, and
- (c) in a case where *section 3* applies, the contract referred to in *section 3(1)(c)*.”

2. In page 4, subsection (1), line 24, “Minister for Justice, Equality and Law Reform” deleted and “Minister for Justice and Law Reform” substituted.

3. In page 4, subsection (1), line 29, “comprising units” deleted and “comprising a unit or units” substituted.

4. In page 4, subsection (1), lines 40 to 46 deleted and the following substituted:

““relevant parts” means, in relation to a unit, those parts of the common areas of a multi-unit development necessary for the enjoyment of quiet and peaceful occupation of such unit;”.

5. In page 5, subsection (1), line 13 deleted.

6. In page 5, between lines 32 and 33, the following subsection inserted:

“(5) For the purposes of this Act a member of an owners’ management company shall be regarded—

- (a) as being present at a meeting of members where he or she has validly appointed a proxy to attend and that proxy has attended the meeting,
- (b) as having voted at a meeting of members where the member has validly appointed a proxy to vote at the meeting and the proxy (but not the member) has voted at the meeting,

[SECTION 1]

where the appointment of proxies by members is permitted under the articles of association or other document which regulates the operation of the owners' management company concerned.”.

7. In page 5, between lines 32 and 33, the following subsection inserted:

“(6) Subject to any order made by a court pursuant to *section 21*, nothing in this Act relating to—

- (a) the obligation to transfer the ownership of the common areas of a multi-unit development or a relevant part of such common areas to the owners' management company concerned,
- (b) the obligation to establish an owners' management company as respects that development, or
- (c) the structure or conduct of the affairs of an owners' management company,

shall be construed as preventing compliance with that obligation by the establishment of different owners' management companies in respect of different parts of the multi-unit development or by the transfer to such companies of the ownership of such parts of the development.”.

SECTION 2

8. In page 5, subsection (1), lines 35 and 36, “comprising 2 or more units but less than 5 units” deleted and the following substituted:

“comprising 2 or more residential units but less than 5 residential units”.

9. In page 5, lines 37 to 42, subsection (2) deleted and the following substituted:

“(2) Where—

- (a) all the units in a multi-unit development are residential units, and
- (b) the structure, or that part of the structure, in which the residential units are situate, does not form part, and was never intended to form part, of the common areas of the development,

the provisions of *Schedule 2* shall apply as respects the common areas of the development.”.

10. In page 5, subsection (3), line 45, paragraph (a) deleted and the following substituted:

“(a) residential units in the development, and”.

11. In page 6, subsection (3)(b), lines 2 and 3, “by such commercial units and units” deleted and “by such commercial units and residential units” substituted.

12. In page 6, subsection (4), line 7, “be considered” deleted and “be regarded” substituted.

13. In page 6, subsection (6)(a), line 21, “of the development” deleted and “of the mixed use multi-unit development” substituted.

[SECTION 3]

SECTION 3

14. In page 6, subsection (1), line 31, “a unit in a multi-unit development” deleted and “a residential unit in a multi-unit development” substituted.

15. In page 6, subsection (1)(b), lines 37 and 38, “in the unit being transferred” deleted and “in the residential unit being transferred” substituted.

16. In page 6, subsection (1)(b), line 40, “and” deleted and the following substituted:

“(c) a certificate from a suitably qualified person that the relevant parts of the multi-unit development have been constructed in compliance with the fire safety certificate concerned issued pursuant to the Building Control Acts 1990 and 2007 has been furnished by the person to whom subsection (2)(b) refers to the owners’ management company, and”.

17. In page 6, subsection (1)(c), lines 43 and 44, all words from and including “each” in line 43 down to and including “other.” in line 44 deleted and the following substituted:

“of each of those persons relating to the completion of the development and which includes particulars of the arrangements relating to—

(i) confirmation of compliance with all relevant statutory requirements,

(ii) completion of the work on the common areas concerned,

(iii) the release to the developer of monies held by the owners’ management company where the contract provides for monies to be so held by the owners’ management company pending completion of the common areas concerned, and

(iv) the process for resolving disputes between the parties to the contract as respects the completion of the development.”.

18. In page 7, subsection (3), line 5, “common areas of a multi-unit development” deleted and the following substituted:

“relevant parts of the common areas of a multi-unit development”.

19. In page 7, subsection (3)(a), line 8, “of the said lands” deleted and “of the land concerned” substituted.

20. In page 7, subsection (3), lines 9 to 12, paragraph (b) deleted and the following substituted:

“(b) to transfer all rights necessary to enable the owner of each residential unit to enjoy the quiet and peaceful occupation of the residential unit of which he or she is the owner, and”.

21. In page 7, subsection (3)(c), line 15, “of the units” deleted and “of the residential units” substituted.

22. In page 7, subsection (4), line 18, “the unit owner enjoys” deleted and the following substituted:

“each owner of a residential unit in the development concerned enjoys”.

23. In page 7, between lines 28 and 29, the following subsection inserted:

[SECTION 3]

“(6) As respects the negotiation of and entering into the contract referred to in *subsection (1)(c)* and the transfer of the common areas concerned, the owners’ management company shall have legal representation and shall not be represented by the same solicitor or firm of solicitors as the developer or other person who is the owner of the common areas, and the reasonable costs of such representation shall be discharged by the developer or other person who is the owner of the common areas concerned.”.

24. In page 7, subsection (6), line 31, “to the units” deleted and “to the residential units” substituted.

25. In page 7, between lines 34 and 35, the following subsections inserted:

“(7) In this section—

“suitably qualified person” means a person who is a member of a class or classes of persons prescribed by the Minister for the purposes of this section;

“prescribed” means prescribed by regulations made by the Minister having consulted the Minister for the Environment, Heritage and Local Government.

(8) Regulations made by the Minister under this section may prescribe a class or classes of persons who in the view of the Minister, having considered the qualifications, training, and expertise of such class or classes of persons by reference to the functions to be performed by members of such class pursuant to this section, are suitably qualified.”.

SECTION 4

26. In page 7, subsection (1), line 36, “of a unit” deleted and “of a residential unit” substituted.

27. In page 7, subsection (1), line 39, “relating to the units” deleted and “relating to the residential units” substituted.

28. In page 7, subsection (2), line 48, “to the units” deleted and “to the residential units” substituted.

SECTION 5

29. In page 8, line 10, “the lands referred to in *section 3(1)(b)*.” deleted and the following substituted:

“the lands referred to in *section 3(1)(b)*, without the reservation of any beneficial interest.”.

30. In page 8, between lines 10 and 11, the following subsection inserted:

“(2) For the purposes of this section, a multi-unit development shall be regarded as being substantially completed if the sales of not less than 80 per cent of the residential units in the development have been closed.”.

SECTION 6

31. In page 8, line 13, “relating to a unit in the development” deleted and the following substituted:

“relating to a residential unit in the multi-unit development”.

[SECTION 6]

32. In page 8, line 15, “of a unit” deleted and “of a residential unit” substituted.

SECTION 8

33. In page 8, subsection (1), line 27, “of a unit” deleted and “of a residential unit” substituted.

34. In page 8, subsection (1), line 30, “ownership of the unit” deleted and “ownership of that unit” substituted.

35. In page 8, subsection (2)(a), line 46, “of the unit” deleted and “of the residential unit” substituted.

36. In page 9, lines 3 to 8, subsection (3) deleted and the following substituted:

“(3) A unit owner (whether the owner of a residential unit or a commercial unit) shall be under an obligation to furnish to the relevant owners’ management company—

- (a) particulars of his or her name,
- (b) particulars of his or her address,
- (c) particulars of the names of the tenants in the unit,
- (d) particulars of any habitual occupiers of the unit other than tenants, and
- (e) such other contact particulars as the owners’ management company may reasonably request,

and shall promptly notify the owners’ management company of any change in such particulars.”.

SECTION 9

37. In page 9, subsection (4), line 29, “to the owners of the units” deleted and “to the unit owners” substituted.

38. In page 9, subsection (5), line 32, “owners of the units” deleted and “unit owners” substituted.

SECTION 11

39. In page 10, subsection (1), lines 27 and 28, “in the common areas and reversion in the units” deleted and the following substituted:

“in the relevant parts of the common areas and the reversion in the residential units”.

40. In page 10, subsection (2), line 37, “in the units” deleted and “in the residential units” substituted.

41. In page 10, subsection (3), line 42, “in any unit” deleted and “in any residential unit” substituted.

SECTION 12

42. In page 10, subsection (1), line 47, “of the units” deleted and “of the residential units” substituted.

[SECTION 12]

43. In page 10, subsection (1), lines 49 and 50, “in the common areas and reversion in the units” deleted and the following substituted:

“in the common areas concerned and the reversion in the residential units”.

44. In page 11, subsection (1), line 6, “in the common areas” deleted and “in the common areas concerned” substituted.
45. In page 11, subsection (2), line 10, “of the common areas” deleted and “of the common areas concerned” substituted.
46. In page 11, subsection (3), line 15, “in any unit” deleted and “in any residential unit” substituted.
47. In page 11, subsection (5), line 25, “in the development” deleted and “in the multi-unit development” substituted.

SECTION 14

48. In page 12, subsection (1), line 9, “to each unit” deleted and “to each residential unit” substituted.
49. In page 12, subsection (1), line 11, “and that no other person has such a vote.” deleted and the following substituted:

“and that no other person has voting rights in respect of such determination.”.

50. In page 12, lines 16 to 18, subsection (4) deleted and the following substituted:

“(4) This section applies to owners’ management companies of multi-unit developments in respect of which no contract for the sale of a residential unit has been entered into prior to the enactment of this Act.”.

SECTION 15

51. In page 12, before section 15, the following new section inserted:

“Structure of certain owners’ management companies (existing developments).”

15.—(1) This section applies to owners’ management companies of multi-unit developments to which *section 14* does not apply and which are not mixed use multi-unit developments.

(2) Subject to *subsections (3) and (4)*, the voting rights of members in the owners’ management company which relates to a multi-unit development to which this section applies shall be structured in such a manner that in the determination of any matter by the members of the company, one vote shall attach to each residential unit in the multi-unit development to which the owners’ management company relates, and that no other person has voting rights in respect of such determination.

(3) Where the voting rights of members of an owners’ management company to which this section applies are allocated on a basis other than that specified in *subsection (2)* a person who, but for this section, would be entitled to exercise such voting rights, shall not exercise such rights unless that person has applied for and has been granted an authorisation to exercise those rights by the Circuit Court which application shall be made under *section 21*.

[SECTION 15]

(4) The Court shall not make an order authorising the exercise of voting rights referred to in *subsection (3)* unless it is satisfied—

(a) that the person concerned has an essential economic interest in the development concerned or a part of the development concerned (other than as the owner of a residential unit in the development) and that in order to adequately protect such interest it is necessary to authorise that person to exercise such voting rights, or

(b) that, for any other reason, it is necessary in the interests of fairness and justice to authorise that person to exercise such voting rights.”

—An tAire Dlí agus Cirt, Comhionannais agus Athchóirithe Dlí.

52. In page 12, before section 15, the following new section inserted:

“Life Directors and long term directors of owners’ management companies.

16.—(1) A person shall not be appointed as a director of an owners’ management company after the coming into operation of this section if such appointment is—

(a) for life, or

(b) for a term greater than 3 years.

(2) A person who, on the coming into operation of this section, stands appointed as a director of an owners’ management company, and the appointment is—

(a) for life, or

(b) for a term greater than 3 years,

shall be deemed to vacate that office—

(i) in the case of an appointment for life on the day which is 3 years after the coming into operation of this section and

(ii) in the case of an appointment referred to in *paragraph (b)* on the day of the expiry of the term concerned or the day which is 3 years after the coming into operation of this section whichever is the earlier.

(3) Subject to *subsection (1)*, nothing in *subsection (2)* shall prevent the appointment or election of a person to whom *subsection (2)* applies as a director of an owners’ management company at the annual general meeting of the owners’ management company concerned unless this is prohibited by the articles of association or other governing document of the company.”

53. In page 12, subsection (2), lines 32 to 34, paragraph (c) deleted and the following substituted:

“(c) where the owners’ management company is required to establish and maintain a sinking fund—

(i) a statement of the funds standing to the credit of the sinking fund, and

(ii) details of the amount of the annual contribution to the fund and the basis on which such contribution is calculated;”.

[SECTION 16]

SECTION 16

- 54.** In page 13, subsection (1), line 32, “of the development” deleted and “of the units in the development” substituted.
- 55.** In page 13, subsection (2), lines 40 and 41, all words from and including “agreed” in line 40 down to and including “members)” in line 41 deleted and “agreed in writing by 75 per cent of the members)” substituted.
- 56.** In page 14, subsection (4)(b), line 13, “attending and entitled to vote” deleted and “present and voting” substituted.
- 57.** In page 14, subsection (6), lines 27 to 30 deleted and the following substituted:

“unless such expenditure is approved in writing by 75 per cent of the members of the owners’ management company concerned.”.

- 58.** In page 14, between lines 43 and 44, the following subsection inserted:

“(8) (a) Notwithstanding *subsection (2)* an owners’ management company may, prior to the completion of the sale of the first unit in a multi-unit development, set the annual service charge to be levied on unit owners in the development without holding a meeting in accordance with *subsection (2)* and such charge may be levied and recovered in accordance with this section.

(b) Prior to the annual service charge pursuant to *paragraph (a)* the owners’ management company shall prepare an estimate and have regard to the items of expenditure specified in *subsection (3)*.”.

- 59.** In page 15, subsection (10), line 6, “be considered” deleted and “be regarded” substituted.
- 60.** In page 15, subsection (10), lines 7 and 8, all words from and including “upon” in line 7 down to and including “development.” in line 8 deleted and the following substituted:

“the first sale of which unit has not been completed, as and from the day on which the first sale of a residential unit in the relevant part of the development is closed.”.

SECTION 17

- 61.** In page 15, subsection (1), line 45, “in this section” deleted and “in this Act” substituted.
- 62.** In page 16, lines 5 to 14, subsection (2) deleted and the following substituted:

“(2) Expenditure shall be regarded as being expenditure on maintenance of a non-recurring nature where—

- (a) the expenditure relates to a matter in respect of which expenditure is not generally incurred in each year,
- (b) it is certified by the directors of the owners’ management company as being expenditure on maintenance of a non-recurring nature, and
- (c) the expenditure is approved by a meeting of the members of the owners management company as being expenditure of a non-recurring nature.”.

[SECTION 17]

- 63.** In page 16, subsection (3), line 15, “Each unit owner” deleted and “The owner of each unit” substituted.
- 64.** In page 16, subsection (4), line 21, “be considered” deleted and “be regarded” substituted.
- 65.** In page 16, subsection (4), lines 22 and 23, all words from and including “upon” in line 22 down to and including “development.” in line 23 deleted and the following substituted:
- “the first sale of which unit has not been completed, as and from the day on which the first sale of a residential unit in the relevant part of the development is closed.”.
- 66.** In page 17, subsection (9)(b), line 3, “such charges” deleted and “contributions to the sinking fund” substituted.
- 67.** In page 17, subsection (9)(c), line 5, “such charges” deleted and “such contributions” substituted.
- 68.** In page 17, subsection (9)(d), lines 6 and 7, “such charges” deleted and “such contributions” substituted.

SECTION 18

- 69.** In page 17, before section 18, the following new section inserted:

“Application of section 17 to certain developments.

18.—Where in relation to a multi-unit development to which *section 2(2)** applies a sinking fund stands established or an agreement exists between the unit owners, or by them with another person, to establish a sinking fund, the provisions of *section 17* (other than the requirement to establish a sinking fund) shall apply to such sinking fund.”.

[*Note: This is a reference to the subsection inserted by amendment No. 9.]

- 70.** In page 17, subsection (1), lines 15 and 16, “*section 16 or 17*” deleted and “*section 16, 17, or 18**” substituted.

[*Note: This is a reference to the section inserted by amendment No. 69.]

- 71.** In page 17, lines 19 to 21, subsection (2) deleted and the following substituted:

“(2) Where payment of charges under *section 16* and contributions under *section 17 or 18** are requested or collected together such charges and contributions may collectively be referred to as “owners’ management company annual charges”.”.

—An tAire Dlí agus Cirt agus Athchóirithe Dlí.

[*Note: This is a reference to the section inserted by amendment No. 69.]

SECTION 19

- 72.** In page 17, lines 22 and 23, all words from and including “Charges” in line 22 down to and including “*section 17,*” in line 23 deleted and the following substituted:

“Charges under *section 16* and contributions under *section 17 or 18**.”.

[*Note: This is a reference to the section inserted by amendment No. 69.]

[SECTION 20]

SECTION 20

73. In page 17, subsection (1), line 29, “as respects the development” deleted and the following substituted:

“as respects the development or part of the development”.

74. In page 18, lines 1 to 3, subsection (3) deleted and the following substituted:

“(3) House rules made under *subsection (1)* shall be made in a manner consistent with—

(a) the objective of advancing the quiet and peaceful enjoyment of the property by the unit owners and the occupiers, and

(b) the objective of the fair and equitable balancing of the rights and obligations of the occupiers and the unit owners,

in the development or part of the development concerned.”.

75. In page 18, subsection (4), line 4, “House rules” deleted and “Subject to *subsection (8)**, house rules” substituted.

[*Note: This is a reference to the subsection inserted by amendment No. 78]

76. In page 18, subsection (4), line 6, “in the development.” deleted and “in the part of the development concerned.” substituted.

77. In page 18, subsection (7), line 13, “to each owner” deleted and “to each unit owner” substituted.

78. In page 18, between lines 14 and 15, the following subsection inserted:

“(8) Notwithstanding *subsections (4) to (6)*, in the case of a multi-unit development to which *section 3* applies, house rules may be made by the owners’ management company before the completion of the sale of the first unit in the relevant part of the development, and in such event the first purchaser of each unit in the relevant part of the development shall be given a copy of such house rules on or prior to the completion of the sale of the unit unless prior to that day other house rules have been made in accordance with this section.”.

SECTION 21

79. In page 18, subsection (1), lines 37 to 39, all words from and including “a” in line 37 down to and including “law.” in line 39 deleted and the following substituted:

“a multi-unit development, an application to the court—

(a) for an order under this section to enforce any rights conferred, or obligation imposed, by this Act or any rule of law, or

(b) for an order relating to any matter to which reference to making an application under this section is made in this Act.”.

80. In page 18, subsection (2), lines 42 and 43, “whether or not mediation has been attempted.” deleted and the following substituted:

“whether or not mediation or other dispute resolution process has been attempted.”.

[SECTION 21]

81. In page 18, subsection (3), line 44, “Where the court is satisfied” deleted and the following substituted:

“In a case to which *subsection (1)(a)** applies, where the court is satisfied”.

[*Note: This is a reference to the paragraph inserted by amendment No. 79.]

82. In page 19, between lines 2 and 3, the following subsection inserted:

“(4) In a case to which *subsection (1)(a)** does not apply but *subsection (1)(b)** applies, the court may make such order as it considers just and equitable with a view to ensuring the effective operation of the owners’ management company concerned and the quiet and peaceful occupation of the common areas of the multi-unit development concerned by the owners and occupiers of the residential units in that development.”.

[*Note: This is a reference to the paragraphs inserted by amendment No. 79.]

83. In page 19, subsection (4), between lines 26 and 27, the following inserted:

“(f) determining the extent to which a part of the common areas of a multi-unit development forms part of the relevant parts of the common areas of the development;”.

84. In page 20, subsection (7), line 46, “in the development” deleted and the following substituted:

“in the relevant part of the multi-unit development”.

85. In page 20, subsection (7), line 48, “such deed.” deleted and the following substituted:

“such deed by the owners’ management company concerned.”.

86. In page 20, after line 48, the following subsection inserted:

“(8) Notwithstanding *subsection (1)*, and subject to *subsections (2) and (5)*, where the court is satisfied that the structure of the voting rights of members in an owners’ management company is not established on a fair and equitable basis, the court may, where it is satisfied that it is necessary in the interests of justice to do so, make an order altering the voting rights of members in the owners’ management company concerned.”.

SECTION 24

87. In page 22, subsection (5), line 11, “The notes of the chairperson” deleted and the following substituted:

“Subject to *section 25*, the notes of the chairperson”.

SECTION 25

88. In page 22, subsection (1)(b)(ii), line 30, “thereto.” deleted and the following substituted:

“thereto,

or

[SECTION 25]

- (c) where the mediation conference did take place and no settlement has been entered into, a statement as to whether such outcome is substantially due to the conduct of one or more than one of the parties, and in that case specifying the identity of such party or parties.”.

89. In page 22, subsection (3), lines 34 to 39 deleted and the following substituted:

“(3) At the conclusion of the hearing of an application under *section 21*, the court may—

- (a) having considered the report prepared under *subsection (1)*,
- (b) having heard submissions by or on behalf of the parties to the application, and
- (c) if satisfied that a party to the application—
 - (i) failed to comply with a direction under *section 24(1)(a)*, or
 - (ii) is a person specified pursuant to *subsection (1)(c)** and that the conduct of such person is substantially the cause of the failure to reach a settlement,”.

[*Note: This is a reference to the paragraph inserted by amendment No. 88.]

SECTION 26

90. In page 23, line 2, “power” deleted and “right or power” substituted.

91. In page 23, line 5, “such other powers” deleted and “such other rights or powers” substituted.

SECTION 27

92. In page 23, between lines 36 and 37, the following subsection inserted:

“(5) In this section “prescribed” means prescribed by regulations made by the Minister having consulted with the Minister for Enterprise, Trade and Innovation.”.

SECTION 28

93. In page 23, subsection (2), line 45, “On completion of a multi-unit development” deleted and the following substituted:

“Where the development stage of a multi-unit development has ended”.

94. In page 23, subsection (2), line 47, “in *Schedule 3*” deleted and the following substituted:

“in *Schedule 3* relating to the development concerned”.

SECTION 30

95. In page 24, lines 13 and 14, “Minister for Enterprise, Trade and Employment” deleted and “Minister for Enterprise, Trade and Innovation” substituted.

[*SCHEDULE 1*]

SCHEDULE 1

96. In page 25, between lines 3 and 4, the following inserted:

- “1. *Section 15** (Structure of certain owners’ management companies (existing developments)).
2. *Section 16*** (Life directors and long term directors of owners’ management companies).”.

[*Note: This is a reference to the section inserted by amendment No. 51.]

[**Note: This is a reference to the section inserted by amendment No. 52.]

97. In page 25, between lines 7 and 8, the following inserted:

- “4. *Section 18** (Application of *section 17* to certain developments).
5. *Section 18* (Owners’ management company annual charges).
6. *Section 19* (Recovery of charges and contributions).”.

[*Note: This is a reference to the section inserted by amendment No. 69.]

98. In page 25, after line 14, the following inserted:

- “10. *Section 26* (Saver for existing jurisdiction).
11. *Section 27* (Restoration of certain companies to register).
12. *Section 28* (Transfer of benefit of guarantees and warranties).
13. *Section 29* (Restriction on entering into certain contracts).”.

SCHEDULE 2

99. In page 26, between lines 3 and 4, the following inserted:

- “1. *Section 4* — (Transfer of common areas in cases where *section 3* does not apply).”.

100. In page 26, between lines 6 and 7, the following inserted:

- “2. *Section 6* — (Owners’ management company to join in transfer to purchasers).”.

101. In page 26, between lines 10 and 11, the following inserted:

- “4. *Section 9* — (Consequences of transfer of common areas).
5. *Section 11* — (Determination of certain beneficial interests on completion of development).
6. *Section 12* — (Determination of certain beneficial interests in common areas in certain cases).”.

102. In page 26, between lines 18 and 19, the following inserted:

- “6. *Section 18** — (Application of *section 17* to certain developments).
7. *Section 18* — (Owners’ management company annual charges).

[*SCHEDULE 2*]

8. *Section 19* — (Recovery of charges and contributions).”.

[**Note: This is a reference to the section inserted by amendment No. 69.*]

SCHEDULE 3

103. In page 27, lines 32 and 33 deleted and the following substituted:

“10. Schedule of plant, equipment and fire protection systems specifying the expected useful life of such plant, equipment and systems.”.

104. In page 28, line 5, “as respects the development.” deleted and the following substituted:

“as respects the development, except where such documentation has already been furnished to the owners’ management company or is already in the possession of the owners’ management company.”.