

## How the body corporate makes decisions

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Body corporate decisions are called resolutions.

Most decisions are made by ordinary resolution or special resolution. They are usually made at meetings and must be in writing.

### Ordinary resolution

Most decisions are made by ordinary resolution. An ordinary resolution needs at least 50% of votes to pass.

### Special resolution

There must be a special resolution if there will be a significant effect on unit owners. A special resolution needs at least 75% of votes to pass.

Some examples are:

- increasing or changing levies
- borrowing money.

### Designated resolutions

Some decisions are important to everyone involved in the complex. These are called designated resolutions and may include decisions on:

- the property itself (eg, selling or buying common property)
- matters that affect owners financially (eg, redeveloping units or common property).

If passed, the body corporate will notify:

- all owners
- anyone with a registered interest in the complex.

If you object to the decision, complete the below form within 28 days. You should get advice from your lawyer before objecting.

[Form 27 – Notice of objection to designated resolution \[DOC, 39 KB\] \(http://www.tenancy.govt.nz/assets/unit-titles/unit-titles-prescribed-form-27.doc\)](http://www.tenancy.govt.nz/assets/unit-titles/unit-titles-prescribed-form-27.doc)

[Designated resolutions \(Unit Titles Act\) \(http://www.legislation.govt.nz/act/public/2010/0022/31.0/DLM1160848.html\)](http://www.legislation.govt.nz/act/public/2010/0022/31.0/DLM1160848.html)

### Voting

Each principal unit has one vote. Votes are not rounded up.

As an example, if there are 10 principal units and only 7 owners vote:

- A special resolution will need 5.25 votes (75%). To pass there must be at least 6 votes in favour.
- An ordinary resolution will need 3.5 votes (50%). To pass there must be at least 4 votes in favour.

To vote you must be over 16 years old and:

- A principal unit owner or their representative, or
- the nominee or proxy of the registered owner or their representative, or
- a subsidiary body corporate representative

You cannot vote if you have unpaid levies due to the body corporate.

## If you disagree with a resolution

If you were at the meeting and voted on the matter, you can request a poll. In a poll, each vote is weighted according to the ownership interest. A person with a larger interest has more of a say than a person with a smaller interest. The result of the poll then becomes the resolution.