



## *Discussion Forum*

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The comments and opinions expressed herein do not necessarily reflect those of the Retirement Village Residents Association (RVRA) or its Members.

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### **Repeal of 5 (1) (a)**

I think the jury is still out on whether external painting is a legitimate residents' cost responsibility under new legislation.

Is it not possible that, reading Reg 5 (1) (b), the cost of external painting to be carried out from time to time by the operator in a village they own, is an act of preservation of the owner's assets and each coat of paint applied is an act of renewal or improvement to a surface originally unpainted, so, 5 (1) (b) (i) applies:

*"(b) the following are prescribed as not being capital maintenance:*

*(i) work done to substantially improve an item of capital beyond its original condition."*

In this case, no one in your village need be held responsible for costs of external painting.

*Grumpy*

28th March 2011

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