

Mascot Towers apartment owners claim defects 'not logged'

By **BRAD NORINGTON**, ASSOCIATE EDITOR

12:00AM AUGUST 13, 2019 •  5 COMMENTS

Defects discovered during the early years of the now evacuated Mascot Towers apartments building in Sydney were allegedly “not logged” by the first strata management team appointed by the developers.

The claim was made yesterday by Mascot Towers owners at a NSW parliamentary inquiry into regulation of the building industry. Two apartment owners speaking on behalf of others evacuated in June, when the building was found to have serious structural damage, said they found no defects were “flagged” when they conducted “due diligence” checks when buying apartments in the block over the past decade.

But the owners, giving evidence under oath, claimed a “defect log” was later changed. They said they had spent the years since then trying to fix problems and find who was responsible.

On the first day of an inquiry into building standards, quality and disputes that follows the evacuation of damaged apartment blocks and discovery of combustible cladding on many city buildings, the Mascot Towers owners said they understood their initial strata management was chosen by the developer.

The developer of the decade-old block is listed on a deed for its construction as four companies owned by members of the Elias family, including Lebanon-born Hanna, Bradley and Sarkis.

The Elias family is behind other apartment block construction across Sydney over the past two decades. All except one company involved in the Mascot Towers project has since been deregistered. Other family companies have been set up for other projects since.

David Shoebridge, the Greens NSW upper-house MP chairing the committee, quizzed evacuated owners Alton Chen and Vijay Vital about how they first learned of defects in the Mascot building.

Mr Vital, who broke down during evidence in which he described how his wife and children were forced out carrying just a suitcase each, said he bought his unit a decade ago and learned of defects in 2011. He claimed a building “log” was changed.

He was not aware of structural issues until he was evacuated, he said. “I’ve done things that are right, and we shouldn’t be accountable,” he said.

Mr Chen, who bought his apartment five years ago, said he did “due diligence”, including going through “every page” of a log on the building’s condition, and nothing was “flagged”. He said residents faced costs of “tens of millions” because they were now well outside a maximum seven-year period to make claims when the developer remained liable: “Limited liability protects the builders, but what about us?”

Mr Shoebridge told *The Australian* the practice of developers choosing strata management at the start was “quite common” and they could remain for the maximum seven-year period in which a developer was liable.

Claiming the system was flawed, he said: “They have to pick someone at the start, because there’s no one else. But it is such a conflict of interest because there’s the possibility of appointing a manager who’s going to soft-pedal on any defects that are found in the first few years.”

The Australian contacted the Elias family’s solicitor, Bill Kalantzis, seeking comment from family members on whether developer companies chose the strata management at Mascot Towers, and whether any early defects were logged.

Mr Kalantzis said later he had not been able to reach them.

BRAD NORINGTON, ASSOCIATE EDITOR

Brad Norington is an Associate Editor at *The Australian*, writing about national affairs and NSW politics. Brad was previously *The Australian*’s Washington Correspondent during the Obama presidency and has been w... [Read more](#)

