

**The Office of the Commissioner for Body  
Corporate and Community Management  
together with Dispute Resolution Branch  
present:**

# **Dealing with difficult people**

**Presenters:** Tim Goulding – BCCM and  
Janet Barnes – Dispute Resolution Branch



# How can BCCM help?

- Nuisance provisions
- By-laws
- If alleged difficulty is from committee member – remove committee member

If the difficulty is from BCM or CSC

- Code of Conduct and Remedial Action Notice

# Nuisance

- Nuisance provisions (s167)
- Nuisance case law –
  - Norbury v Hogan [2010] QCATA 27
  - Proximity One [2016] QBCCMCmr 416 (13 September 2016)
- Does not cover written communication nuisance – only nuisances or hazards from occupier's use of the lot or common property

# By-laws

Orders enforcing excessive communication under by-laws:

- Tank tower [2015] QBCCMCmr 322 (9 July 2015)
- Deagon Village [2018] QBCCMCmr 208 (20 April 2018)

# My background

- Janet Barnes
- Training Manager
- Dispute Resolution Branch



What do you see in this image?

What you see and hear depends on:

- your perception
- your biases
- your experience
- possible miscommunication

- Conflict is not necessarily bad
- Conflict can present an opportunity

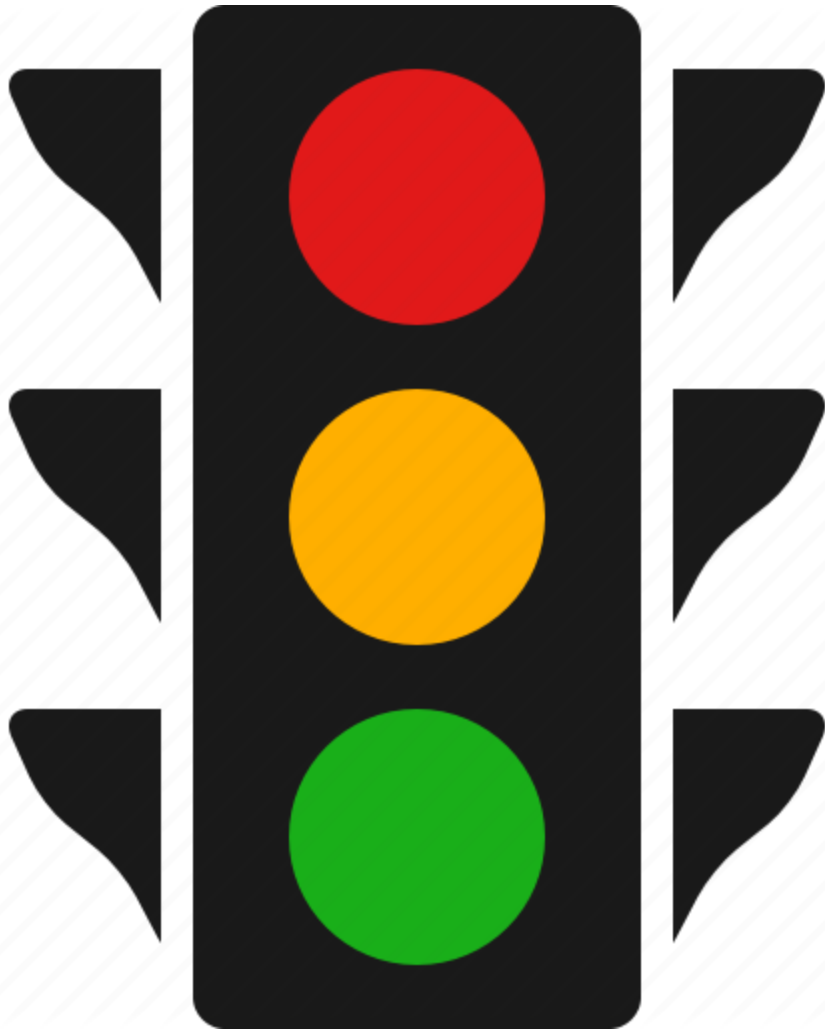


For example, pansies which each year would grow in the most difficult of places and grew back even more beautiful than before.

Examples of models to use when you are presented with difficult situations in your body corporate.

- STAR model for difficult conversation
- Communication skills - summaries and questions to test understanding





Stop

Attend

Respond

Respect

Reframe

# Stop:

- attend to your own emotions
- time out
- preparation
- deep breathing  
(EG - oxygen masks on a plane – check yourself first so that you are in a strong position to help others)



Attend to their emotions.

- active listening
- gaining understanding
- let them vent
- use LARS-Q (listening, acknowledging, reframing, summarising and questioning) and check your understanding of what they are saying



Respond

Respect

Reframe



- explain your view regarding this conflict
- check for understanding to make sure the other person understands
- demonstrate your respect by being hard on the problem and soft on the person
- reframe.

# *LISTEN LIKE*

## *A COW*



**Be the cow! In the nicest possible way!**

- Cows are good listeners...
- Cows cock their big brown eyes at you and twitch their ears when you talk...
- Humans listen for the mistake, the flaw in the argument.
- Cows, by contrast, manage at least the appearance of deep, openhearted attention.
- Just pay attention...Just be there.
- Don't think about a solution, or how you should fix it.
- Listen hard and try to be present. It's very bad business to invite heartfelt speech and then not listen...
- We don't need fixing, most of us, as much as we need a warm space and a good cow.

# Reported Speech

How do you show your listener that you are actually listening?

How can you ensure that your acknowledgement does not come across as agreement?

Link to [Reported Speech video](#).

# Paraphrasing

The ability to summarise or paraphrase is a great tool to ensure the person knows that you are listening.

Link to [Paraphrasing video](#)

# Increase your skills:

You may wish to watch other [Communication Skills videos](#) developed by Dispute Resolution Branch.



# Contacts

## BCCM

- Phone: 1800 060 119 (free call back service)
- Online enquiry:  
[www.qld.gov.au/bodycorporatequestion](http://www.qld.gov.au/bodycorporatequestion)
- Website: [www.qld.gov.au/bodycorporate](http://www.qld.gov.au/bodycorporate)

## DRB conflict resolution services

- Phone: 1800 017 288
- Website: [www.qld.gov.au/disputeresolution](http://www.qld.gov.au/disputeresolution)

## DRB training in conflict resolution

- Website: [www.qld.gov.au/disputeresolutiontraining](http://www.qld.gov.au/disputeresolutiontraining)



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Government