

*REN*  
v  
*STRATA CORPORATION 12753 INC (ABN: 77 343 530 199)*  
[2024] HCASL 307  
A21/2024

- 1        This is an application for special leave to appeal from a judgment of the Court of Appeal of the Supreme Court of South Australia (Livesey P, Doyle and David JJA), dismissing an appeal from orders of a single judge of the District Court of South Australia (Judge Durrant) under the *Strata Titles Act 1988* (SA), in effect requiring the applicant to restore a unit to the same state as it was in before the applicant carried out "prescribed works" to the unit without approval of the respondent in accordance with the *Strata Titles Act*. Although the Court of Appeal dismissed the appeal, it made orders varying the dates in the orders of the District Court by which the applicant was required to remove the tenants from the unit and restore the unit to its original state.
- 2        On 14 October 2024, the applicant filed an application in this Court requesting a stay of the orders below until determination of this special leave application. The application for a stay was heard and determined by Jagot J on 21 October 2024, making orders further varying the dates by which the applicant was required to remove the tenants from the unit and restore the unit to its original state to enable the application for special leave to appeal to be determined.
- 3        The special leave application does not identify a principle of general importance sufficient to warrant a grant of special leave to appeal. Further, the proposed appeal does not enjoy sufficient prospects of success to make it in the interests of the administration of justice to grant special leave.
- 4        Special leave to appeal is refused. No costs order is to be made in relation to this special leave application or the stay application filed in this Court on 14 October 2024.

Edelman J  
Jagot J

7 November 2024