Power, Ethopolitics and Community Relations: Complexities of living in multi-owned properties

SACHA REID, KATHY LLOYD, WENDY O'BRIEN AND CHRIS GUILDING

DEPARTMENT OF TOURISM, SPORT AND HOTEL MANAGEMENT

GRIFFITH UNIVERSITY

170 KESSELS RD

NATHAN QLD 4111

AUSTRALIA

ABSTRACT

Multi-owned properties (MOPs) continue to proliferate as governments seek to reduce urban sprawl, revitalize inner cities and meet the housing need of a growing population. Yet limited research has focused on the privatization of urban governance and liveability implications arising in these developments. The way power mechanisms are exercised in strata title communities and the resultant effects on unit residents and owners is a key issue. With owner committees playing a central role in governing and regulating common property, as well as resident conduct, the pervasive power relations found in strata titled complexes have the potential to trigger multiple strands of conflict. The way that governance plays out in MOPs is key to understanding their embedded power relations. This study explores the exercise of power in MOPs and how community is evoked as a way to govern relations. We also consider what occurs when notions of community are subverted, and the expected "lifestyle" is held hostage to ongoing conflicts and issues of exclusion.

KEY WORDS: Multi-owned properties, Governance, Power, Community relations, Strata Title

Introduction

As urban space becomes more constrained, multi-owned properties (MOPs) are increasingly being viewed as a housing panacea (Lippert and Steckle 2016). MOPs represent "property types consisting of at least two lots tied to communally held common property with an incorporated separate entity (owners' corporation) created to govern and manage the common property" (Johnston and Too 2015, 451). Whilst a burgeoning dimension of property development has seen MOPs become the norm in many urban contexts, the liveability for residents residing in and governed by these property titles has received scant academic attention.

A number of MOP studies have highlighted the potential for limited social interaction (Buys, Vine and Miller 2013; Lloyd, Fullagar and Reid 2016; Reid 2015), a deficient sense of community (Reid

2015) as well as conflict and power struggles between key stakeholders (Blandy, Dixon and Dupuis 2006; Bugden 2005; Easthope, Randolph and Judd 2012; Fisher and McPhail 2014; Guilding et al. 2005; Yip and Forrest 2002). Easthope et al. (2014) highlighted the challenges associated with governing these types of property and the difficulties of ensuring good governance practice. Building on these issues, Johnston and Too (2015) developed a MOP governance typology to identify the issues and outcomes of governance practices.

The increasing incidence of MOPs combined with their self-governance challenges provided the broad motivation for this study. The research builds on prior knowledge by exploring how power is exercised within MOPs and how community is evoked as a way to govern relations. Furthermore, the power dynamic resulting from MOP occupancy by long-term owner occupiers as well as short-term holidaymakers is highlighted. These findings present an interesting insight into how residents and governments are negotiating responsibilized citizenship in the governance of spaces, particularly as short-term letting objectives and outcomes may be at competing odds with those who reside, own, govern and manage these sites. Finally, we examine outcomes that are triggered when notions of community are subverted, and delivery of the promised “lifestyle” is compromised by on-going inter-stakeholder conflict.

Governing through community

Legislation in many countries enables the development of MOPs (often called “strata” or “community title”, “units”, “apartments”, “villas”, “townhouses” or “condominiums”, depending on jurisdiction). In Australia, strata title legislation is formulated at the state level of government. For example, Queensland’s *Body Corporate and Community Management Act 1997* (BCCM Act) enables “(a) the establishment of a community title scheme; and (b) the operation and management of community titles schemes” (BCCMA 1997, 26). A community title scheme (CTS) allows for the multiple ownership of freehold property through vertical (strata title) and/or horizontal land (community title) subdivision. Ownership comprises a lot (i.e., a ‘unit’), a share in the common property, and an obligation through membership of the body corporate or owners association (Johnston and Reid 2013). Common property is freehold land that forms part of the scheme but is not contained within any individual lot. Typical examples of common property include driveways, car parks, recreational facilities, hallways and lobbies.

Creation of a CTS triggers the formation of an owners’ corporation or body corporate (Johnston and Reid 2013), comprising all lot owners. The body corporate has legislative authority to administer all common property, enforce the community management statement (CMS) including by-laws for the scheme and also carry out other functions assigned to them under the legislation and the

CMS. The body corporate is enacted through parliament to act as a governance, management and maintenance body for a group of multiple owners of private land.

Blandy, Dixon and Dupuis (2006, 2374) note that “the power to oversee governance, decision-making and the overall management of developments can have long-term consequences”. Firstly, the manner of a scheme’s initial establishment by a developer can have significant impacts on effective governance and management through the unit entitlements established, contracts entered into, quality of building, design and layout, financial levy forecasting and funds raised to renew common property assets (Blandy et al. 2006; Easthope et al. 2012; Easthope et al. 2014; Johnston, Guilding and Reid 2012; Johnston and Reid 2013). Secondly, many new owners are unaware of their rights and responsibilities and exhibit little interest in decision making and governance involvement (Easthope, Randolph and Judd 2012). Thirdly, MOP schemes often struggle to achieve consensus amongst disparate owners. It is notable that “many of the individual owners in such developments report that they lack control over the management of the site and its facilities, despite their rights of legal ownership” (Blandy, Dixon and Dupuis 2006, 2366). A further challenge relates to the fact that renters of units, who can constitute a significant proportion of MOP residents, are disenfranchised, as they are excluded from participating in the governance of the complex where they live, despite the fact that their behaviour and lifestyle are being governed.

Individualized consumer subjectivities and communitarian values

Cheshire et al. (2009, 665) argue that the “privatization of governing creates new relations of rule within, rather than between, the different spheres of state and civil society”. Drawing on Foucault (1977; 1980; 1982; 1988; 1990) we utilize the notion of power/knowledge to explore the network of relations and forms of knowledge that determine how citizens live and consume in MOPs. To explore new forms of power, we also draw on Rose’s work (1999; 2000), which has been used within the context of housing form consumption (e.g., Cheshire et al. 2009; Flint 2003; McKee 2011; Power 2015).

Foucault (1990, 94) sees power not as something that is possessed or held, but as a relation “exercised from innumerable points”. Relations of power are exercised within various localised settings with their own rationalities (Foucault 1988, 37-38). It is in these settings that power reaches into individual lives: “into their actions and attitudes, their discourses...and everyday lives” (Foucault 1980, 39). In the MOP context, power is also a productive force, the aim of which is often the production of normalized or docile subjects through compliance with body corporate bylaws. Normalization also occurs through socially sanctioned consumption practices and codes of behaviour that reflect communitarian values (Flint 2003). Subjects can also choose to resist, challenge and modify power relations (McKee 2011).

The exercise of power also “perpetually creates knowledge and, conversely, knowledge constantly induces effects of power...It is not possible for power to be exercised without knowledge, it is impossible for knowledge not to engender power” (Foucault 1980, 52). Applied to the MOP context, it appears, power and knowledge work together to articulate how a MOP scheme should be managed through the authority of strata title legislation and the conventions and norms of behaviour established in a scheme. Blandy et al. (2006, 2370) note, however, that the,

“exercise of power, as experienced by residents, appears to contradict the actual allocation of legal rights, with the result that some actors (developers and managing agents) can exercise power readily and easily while others (individual purchasers) are left concerned and frustrated.”

Thus, power imbalances occur and different stakeholders utilize knowledge and power through differing mechanisms.

In the production of knowledge, power also produces truth, which Foucault describes as a “system of ordered procedures for the production, regulation, distribution, circulation and operation of statements” or discourses (Foucault 1980, 133). Through these discourses, and an “inspecting gaze” power relations are exercised to produce a normalized subject. The spatiality of the gaze ensures that it is internalized to the point that individuals become their own overseer, hence producing self-regulating subjects (Foucault 1977, 200-203).

Importantly, it is the conduct of conduct that shapes, guides or affects how the individual governs themselves and others (Foucault 1982). Governmentality refers to the rationalities, interventions and regulations that seek to manage populations. Studies of governmentality have been criticized for offering a totalizing view of power which overlooks struggles around subjection (Kerr 1999). Governmentality research can also often ignore the lived experiences of those upon whom strategies are directed (Barnes and Prior 2009). While the focus of governmentality is on how power is deployed and the tactics and strategies mobilized to derive particular ends, it is through giving voice to the individuals who “are on the receiving end of interventions” that we can explore how “power is mobilized at the microlevel” (McKee 2011, 4). Governmentality is more than just a consideration of traditional boundaries of state, however. The analytic insights of a governmentality approach focus on the multiple sites through which various authorities seek to “act upon the one through action upon the other” (Rose 2007, 53). These sites include how subjects resist “top down attempts to regulate their behaviour” (McKee 2011, 4). As Flint (2003, 612) notes: “technologies of governance involve the construction of identities for subjects as active consumers, and, increasingly, responsibilized members of ‘communities’.” Within this context, committee members are responsibilized through body corporate legislation, while other residents are urged through discourses of communal obligation to

become “responsible, duty-owing members of communities” (Flint 2003, 626). This governmentality of constructed identities organized through spatial ‘communities’, seeks to tie individuals to a site of moral civility and ethical self-conduct. Rose (1999) terms this new politics of conduct “ethopolitics”.

Cheshire et al. (2009), drawing on the work of Rose (1999, 2000), highlight the manner in which ethopolitics shapes how individuals are governed through their communal attachments. Lee (2010, 115) has criticized ethopolitics for its potential to oversimplify the relations between “structure (government) and the agent (the housing tenant or owner)”. We argue that drawing ethopolitics together with power/knowledge overcomes this impasse through examining the discursive practices, and forms of resistance, conflict and contestation that occur when governing through community. Rose (2000, 1399) argues that ethopower “works through the values, beliefs, and sentiments thought to underpin the techniques of responsible self-government and the management of one’s obligations to others”. Through this moral rationality, active and responsible members of a community ensure they conduct themselves in ways that are both “voluntary and emotionally fulfilling” (Cheshire et al. 2009, 657). Relations are intensified and premised on an assumption of evoking “obligation, reciprocity, mutuality, cooperation, belongingness and identity” (Rose 2000, 1399). Through invoking community as a means of governing, normalized codes provide “guidelines, techniques and aspirations for individuals to enact their freedom” (Rose 2000, 1398). Failure to manage these communal relations and expectations not only evokes negative feelings such as guilt (Cheshire et al., 2009), but also exclusion (Power 2015).

Cheshire et al. (2009) also draw on a second dimension of ethopolitics to consider how consumption acts have become markers of status and identity. Individuals can fashion identity narratives via their consumption practices (Rose 2000). Consumption mechanisms are central to constituting responsible citizenship through socially sanctioned lifestyle choices (Cheshire et al. 2009). The promises of high density living and an individual’s “imagined wants and hopes” can be manipulated, used or subverted “for purposes they take to be their own” (Rose 2000, 1402). This raises questions in relation to discourse invoking community as a means of governing MOP residents’ consumption practices. As Flint (2003, 635) argues “there is an inherent tension within ethopolitics between the construction of citizenship based upon private acts of consumption and the building of identities based around ‘social’ responsibility through membership of community”.

The use of power associated with consumption within MOPs is a relatively new area of study. We seek to extend this literature by exploring power relations and power imbalances (Blandy et al. 2006) in a MOP and how tensions between unit owners, the building manager and residents impact on liveability.

Research Method

Due to the study's exploratory nature, it was deemed important to secure an appreciation of the range and depth of subjects' experiences of residing and governing within a MOP. Drawing on the theoretical concepts identified in the literature (power, ethopolitics and community) a qualitative case study was undertaken in a MOP in Southport on the Gold Coast, Australia. Southport has experienced rapid growth over the last 10 years in its residential as well as tourist population and in 2013 was declared a Primary Development Area. This has enabled further development with MOP's the dominant built form. As of November 2015, more than 5,000 units have been either completed, under construction or approved and more than half of all residences in Southport are rented (Gold Coast City Council 2015).

Case Study Description

The case study building was selected by convenience sampling, following the satisfaction of key criteria: 1) established for a minimum of 6 years; 2) strata titled with multiple owners forming a body corporate and governed by an elected body corporate committee; 3) contained a mix of tenure types. The MOP complex comprises 33 floors, 240 units, a gymnasium, indoor and outdoor swimming pool, spa, sauna and meeting area. Several retail shops are located on the ground floor. Recreation and leisure facilities, including a tennis club and one of the Gold Coast's major parks, are located directly across the road. A large shopping centre is within short walking distance.

All buildings that fall under the remit of the Queensland BCCM Act are required to form a body corporate and establish a committee to self-govern, manage and maintain their scheme. The body corporate of this case study, and other buildings that are legislated under the BCCM Act, is comprised of all lot owners of the building. These lot owners upon purchase of their strata title unit form the body corporate membership. The body corporate membership then elects through a vote at each annual general meeting a committee of between three up to seven members, made up of lot owners or people who act for them. The positions held include; a chairperson, secretary, treasurer, voting members (other elected committee members but who do not hold a specified title) and non-voting members (such as a body corporate manager or caretaking service contractor). The committee is responsible for looking after the administrative and day-to-day running of the body corporate, making decisions on behalf of the body corporate and putting the lawful decisions of the body corporate into place (Queensland Government, 2016).

The BCCM Act is modular based, whereby buildings are classified according to one of five regulation modules (Standard, Accommodation, Commercial, Small lot schemes and Two lot schemes). The case study building was classified under the Standard Module, which is suitable for buildings where there are a high proportion of owner occupiers. This module allows for caretaking and letting agreements to be entered into for a maximum of ten years and limits committee spending

per lot (*Queensland Body Corporate and Community (Standard Module) Regulation 2008, s118 and s120*).

Although the building has a mix of tenures that include resident owners, long-term tenants and short term holiday letting, this study focused specifically on the lived experiences of those residing or working within the MOP. Most of the short term letting units are managed by a contracted resident building manager. Holiday letting typically attracts a rental rate of approximately \$200 per night for a one bedroom unit and relatively high occupancy rates are achieved, particularly during peak tourism periods.

Subjects interviewed

Two strategies were utilized to recruit interviewees who lived in the MOP complex. First, a random letterbox drop was undertaken to invite residents to participate in the study. Interested residents were invited to contact the research team for further information and to arrange a time and location to be interviewed. Second, a purposive snowball sampling strategy was implemented to ensure that a range of stakeholders with varying characteristics (diversity of tenure, age, involvement with building governance, and occupations) were interviewed.

Seventeen semi-structured interviews were conducted. Nine of the interviewees were female and eight were male with ages ranging from in their 20's to 70's. The sample could be described as largely middle-class and represented a broad cross-section of stakeholders: residents including 13 owner occupiers (three body corporate committee members and one past member), two renters and two retail leaseholders/owners. Interviews were also conducted with two professionals who had a management involvement in the building (a strata manager and also a resident manager). Interviews were digitally recorded, verbatim transcribed, de-identified and pseudonyms assigned. Participants were asked a range of open-ended questions based around key themes, for example; housing form (what do you like and/or dislike about living in an apartment?), liveability and their experiences in the building (what are the positive and negative experiences you've had living in this apartment building?).

Throughout the interview process, a constant investigation was made for theoretical saturation (Decrop 2004) by examining for any new emerging themes in the interviewee comments. NVivo was utilized for data management and coding purposes. A two stage coding process was undertaken. First, the researchers independently coded three transcripts using the open-ended questions from the interviews to guide initial coding. Second, the group met to discuss and decide on the final main themes and sub-themes for the final coding. This process involved comparing the initial coding outcomes of each researcher, identifying and discussing similarities and differences and agreeing on the final codes that best represented the respondents' experiences.

The study suffers from the conventional limitations associated with case study and interview based research. The subjects providing the data were not drawn from a randomized sample, nor are they sufficient in number to permit any generalized extrapolation of observations to a broader population. Further, a single case study site was examined. Despite these shortcomings, it is believed that the study provides useful insights into the nature of power relationships that evolve in MOP contexts through the three key themes that emerged and which are used in structuring the paper's next section: responsibilized community, ethopolitics and the resident building manager and inconsistent interests across resident groups.

Observations

Responsibilized community

Community discourse in the MOP under examination appeared to be mobilized primarily by the elected owner's committee (body corporate committee), as an affective conduit of the building's management. Strata title legislation signifies that committee members were responsibilized to govern over resident and also non-resident activities occurring within the common property, or shared living space. This legislation represents a mechanism that renders the common property areas of the complex as governable and through which social control is exercised.

Members of the body corporate committee claimed that their committee participation was motivated largely by a sense of altruism and that they saw their duties as constituting a form of "service". The committee described themselves as having a "community minded" disposition, and expressed concern that many residents exhibited high apathy and failed to demonstrate the same communal ethic. In this regard, the committee felt that many residents were not enacting their responsibilities as duty owing members of the community. In light of this, they felt that an important facet of their role was to promote a sense of community in the complex. Although committee members acknowledged that the complex's sense of community would be variously interpreted across the spectrum of building residents, they believed their investment in "community" would reap dividends by engendering reciprocity from the residents, co-binding them via an increased sense of communal attachment. Thus the committee was attempting to guide and shape the values of the building's residents by instilling a sense of ethical citizenship and also responsible community.

The building was relatively new and it is notable that Baumgartner (1988) argues social ties within new communities are relatively weak. Despite the community's lack of history, it appeared that the committee members, as responsibilized citizens, were attempting to create allegiances and relations of 'trust, honor and duty' (Rose 2000, 1399) that would in turn create collective norms associated with governing space in the building. Emma (a committee member) illustrated an example of this when she spoke of dealing with a complaint *"about the boof, boof noise of somebody's stereo*

next door". When this type of complaint arises, the committee is the mechanism that enforces the notion of community through by-laws that produce a power/knowledge relation outlining appropriate rules for residents' behaviour and inducing them to engage in self-governing behaviours that are consistent with, not adversely impinging on, the welfare of their neighbours. Rose (2000, 1400) argued that community is "a space of emotional relationships through which individual identities are constructed through their bonds to microcultures of values and meaning". Resonating with this view, Celia (a resident and ex-committee member) indicated that she became involved with the body corporate committee because she wanted to

"Make the building a better place to live ... It's more to get people together and happy, I guess. To make it a happier place to live really, because everybody was feeling a little depressed."

Despite the committee members' claimed communal aspirations, a dislocation was apparent, as other residents viewed their relationship with the body corporate committee as more instrumental than affective. Several residents felt that it was committee members' economic relationship with the building that determined how they undertook their committee responsibilities. Emma (a committee member) noted *"...they viewed it differently to us, the residents. So therefore, for a while we were outvoted"*. It was claimed that owners with financial investments in the building, beyond their principal place of residence, were more likely to be on the committee. Support for this view was apparent as several committee members owned their principal place of residence in the complex, as well as one or more units as investment properties for letting. Despite this, only one body corporate committee member cited financial interests as key to their committee involvement. Some residents felt that committee members used their position to promote policy that was in their financial interest and that some committee members had conflicts of interest that they had not declared. This factor produced a degree of mistrust between residents and the body corporate committee. Some interviewees claimed inconsistent dispensation of committee duties, for example, doing favours for each other and their 'friends' and failing to uphold by-laws if they are inconsistent with their own economic interest. Edna (a resident) gave a powerful example of how the exercise of power/knowledge can counter any sense of communal relations building:

"There's been issues where somebody on the body corporate in a position of power has units in a lot of different buildings and she seems to – every building she goes into – she introduces a certain law company and a certain management company to assist. There seems to be an awful lot of money being spent on those sorts of things."

Edna also cited the example of a chairperson, who she claimed broke by-laws by setting up a business in a residential unit, and used their position of power to circumvent body corporate by-laws. This situation appeared to reinforce a number of residents' perception that some of the committee

members enacted their knowledge of body corporate and council by-laws to further their own interests. Edna also claimed dissatisfaction with the composition of the committee as it included *“people with nothing better to do”*, and individuals who were enamoured with *“power”*. These factors fundamentally compromised the committee’s perceived standing for those residents who felt that some committee members were failing to fulfil their moral obligation to other residents by doing the *“right thing”* (Cheshire et al. 2010, 2607). Flint (2003) highlighted tensions that arise when individualized consumer-citizen subjectivities are mobilized whilst trying to foster communitarian values.

It was notable that many committee members referred to a sense of *“powerlessness”* and subverted control over how they could conduct themselves in the building. This appeared to be particularly significant for some, who felt their ‘home’ should be a peaceful and private space where they could enjoy personal determination and freedom. Celia (a committee member) claimed she often felt uncomfortable in the building due to being frequently approached by residents with complaints: *“when you’re on the committee you know everything about the building unfortunately”*. These everyday complaints or grievances detract from social integration (Baumgartner 1988). For Celia, the lack of separation between body corporate matters and her place of residence, rendered the space conflictual. An example of how micropolitics were playing out in everyday relations within the building was illustrated in a comment by one resident who said:

“If I see one of the committee members and I have a question, I’ll stop them and ask them, what’s going on with this? Why is that like that? Or if there’s a meeting, like the AGM, they had a bit of time they were sorting things out, I had a lot of questions”
(Linda, resident)

For committee members, it was apparent that the incessant invasion of their living space by neighbours with complaints was most unwelcome. Any degree of social responsibility towards committee members, as members of the building community, was overridden by residents’ perception that they were entitled to access the knowledge of the committee whenever or wherever they encountered them.

Residents were also not hesitant in invoking contractual obligations (McGuirk and Dowling 2011) in their attempts to ensure appropriate building maintenance. Committee members commented on frequently receiving aggressively worded emails from residents complaining about issues in the complex. They also noted frequent exhibition of impatience by many residents and their expectation that matters should be attended to immediately. However, owners often had a deficient understanding of the body corporate legislation and by-laws. Some committee members also experienced a sense of being persecuted by residents and that more was being expected of them than

what was outlined in body corporate legislation or by-laws. Perhaps unsurprisingly, stress and “burn out” was referred to by several committee members. For some, these physical and emotional challenges triggered adverse health issues. Henry (committee member) commented:

“Well, anyway, I don't need the hassle. I've often thought, oh, bugger, I think I'll get off. But I won't. I'll stick it out till we get it sorted I hope - and then I might go. Because I just don't need the bother... you're a volunteer ready to be shot at”

By taking on this act of “essential citizenship” (Rose 2000, 1404), Henry was attempting to fulfil his obligations to the community. It was evident that he experienced frustration in undertaking this task due to some residents’ failure to adhere to a common code of civil conduct.

Most residents did not appear to see the body corporate as a significant aspect of how they constructed “community”. Instead, residents shaped their daily lives “in the name of their own pleasures, contentments, or fulfilments” (Rose 2000, 1402), thus exhibiting appropriate norms associated with contemporary middle class aesthetics, but not necessarily evoking community as a means of governing. This focus on “aspirational citizenship” (Raco 2009), which centres on consumption outside the building, appears to be inconsistent with the community spirit that the committee was attempting to foster in the building. For over half of the owner respondents (Glen, Walden, Edna, Tia & Rob), their sense of belongingness and identity was constructed through the consumption of lifestyle associated with the nearby shopping centre. Edna (resident) felt the local coffee shop was “*like a little community*”. Walden (resident) echoed these comments, and noted retail spaces, particularly coffee shops, could become a “*hub for community*”. Glen’s (resident) sense of community stemmed from recognizing other residents from the building, as he “*walked up the street*”. Tia and Rob (residents) also suggested that community encompassed the local vicinity that they walked through and activities that they regularly participated in, “*the pub ... the pictures ... shopping ... or lunch*”. In these spaces they engaged in constituting their consumer subjectivity. Community for these people was evoked through spaces of consumption and the values and meanings they attributed to these practices were indicators of identity (Cheshire et al. 2009, 568). This highlights how distinct parties that have differing obligations can adhere to differing invocations of “community”. The committee was unsuccessful in activating communal attachments, and residents’ own communal aspirations were centred on individualized lifestyle consumption outside the building.

Ethopolitics and the resident building manager

Inter-stakeholder relationships appeared to represent a significant issue for the interviewees, particularly the relationships between building manager and the body corporate committee and other building residents. Relationships with the building manager are governed formally, by legislation and

contracts that mediate over service performance and remuneration, as well as informally, in connection with social and neighbourly relations.

In Queensland, property developers have used management rights (MR) contracts as an additional source of revenue when constructing and selling strata titled properties. Guilding et al (2005, 412) note that “in Australia, condominium managers buy the rights to manage a building as well as title to the resident manager’s unit”. The property title is included within the management rights business purchase, thus it acts as a tangible asset sold at market rates tied in with the contract to provide service and letting business in the building. This contract enables the MR holder “to draw a commission from running the property’s letting pool and to draw a salary as compensation for providing maintenance services” (Cassidy and Guilding 2011, 1274). An important consideration in this resident manager role concerns an overlap in respect to formal and informal relations. This is because the service contract has a formal implication in connection with the stipulated service fee, and an informal implication arising from the manager residing within the same complex as the parties that he/she is accountable to.

Committee members and residents saw the MR contract to be vague, flawed and under-developed. Several of the interviewees felt that the purchase of MR in a strata titled building can create an unworkable relationship between unit owners and the manager. There was a perception that when the developer kept the MR, building residents were ‘happier’. Purchasing the management rights can represent a significant financial investment; one of the interviewees noted that in excess of \$3 million was paid for the MR in the MOP under examination. As this sale constitutes a private transaction between a developer and MR purchaser, few checks are in place to ensure the appropriateness of an incoming manager from the long-term unit owners’ perspective. Celia (a resident and ex-committee member) commented: *“as long as they’ve got the money, anyone can buy it”*. A resident manager may take short cuts in providing maintenance as part of a strategy to secure an adequate return on their investment. In addition, while the length of MR contracts vary depending on the module that the MOP is registered under, the MR period is frequently established for as long as 25 years. These factors can severely undermine attempts to build a sense of community in MOPs.

As McGuirk and Dowling (2011, 2619) highlight, the committee are “community members playing complex governing roles and charged with purchasing estate services and maintaining buildings and common properties”. However, the committee’s exercise of power to choose the building’s on-site management service provider was limited by contractual relations entered into by the developer. This scenario affected how both the committee and the residents enacted their responsabilized communal relations. It left both stakeholders with a sense of frustration, as they felt locked into an economic relation that was not of their choosing.

It appeared the building 'community' was experiencing repeated power struggles relating to the manager's designated roles, as well as residents' expectations with respect to the quality of the manager's service provision. Committee members expressed frustration that resulted from a sense that the manager was seeking extra payment for tasks that they viewed as small and mundane. Emma (a committee member) commented *"If we ask her to do anything that she interprets is not on schedule B, she wants to charge us and then we fight. So we clash and clash and clash the whole time"*. This observation resonates with McGuirk and Dowling's (2011, 2619) commentary on "uneven infusion of economic logics underpinning consumer citizenship through residential life". As responsibilized ethopolitical subjects, the committee appeared to be driven by discourses of prudence and rational assessment of costs. Yet they were situated in a relation of power that undermined their ability to exercise any sense of responsible citizenship. The manager was also operating through the logics of economics and self-interest, but appeared to exhibit little communal attachment, despite living in the building. From the committee members' perspectives, the manager was not abiding by any moral discourse of responsible citizenship, nor with any sense of community.

While some committee members had a strong sense of the degree of maintenance, cleanliness and security that should be achieved in the building, this standard was not being achieved. Glen (a resident) commented *"If the committee is not very knowledgeable and haven't got technical expertise, they can be ridden roughshod over by a manager who will con and convince that they're doing their job, when actually they probably aren't"*. This highlights a facet of operational pressure placed on body corporate committee members, many of whom have little or no relevant experience of managing building infrastructure or the complex legal factors that can arise in connection with this undertaking. This observation corroborates McGuirk and Dowling's (2011, 2621) claim that "the expectations on consumer citizens are clear and generally exceed the capacities of ordinary residents". These power/knowledge relations allowed managers to exercise control over the day-to-day running of the building in ways that excluded the committee and subsequently resulted in regular power struggles.

Not only did governing the building appear to be beyond the capabilities of committee members and residents, some committee members felt their building governance efforts were undermined by ineffective legislation that failed to ensure appropriate management practice. Glen (a resident) commented:

"The legislation is there, there's 900 pages of legislation, but somehow the more pages you have, the more loopholes you've got, more sort of ways you can duck and dive".

This problem with interpreting and applying the legislation exacerbated committee members' tense relationship with the building manager. David (a committee member) commented on the challenge in

reaching a cross-stakeholder consensus on the exact service delivery standard that the manager is responsible for:

"Your duties are this; no I don't read it that way. Or you're required to do this; well it doesn't get all that much use, so I can just let it go a little bit longer. Then all of a sudden deterioration takes place and then there's restoration, repair."

As a result, the relationship between the two stakeholders was characterized by considerable animosity. No sense of a partnership, or communal reciprocity was in evidence, despite the fact that both parties relied on one another. A culture appeared to have developed whereby power was exercised by both stakeholders, however with both mobilizing very different ethical relations to govern their conduct. Ultimately, committee members were unable to use their 'principal' position (Cassidy and Guilding 2011) to promote a reasonable degree of allegiance or "responsible conduct" from the manager.

Conflict between building residents who were not on the body corporate committee, and the resident manager was also in evidence. Residents interpreted the building manager's role as that of an onsite "caretaker", who should be vigilant and attend to all maintenance issues in the building. The term "caretaker" implied a relation that appeared not to exist. Cheshire et al. (2009, 658) point out "it is from one's community that the guidelines of responsible conduct are derived, and it is through allegiance to community that the obligation to operate within those guidelines is felt". Residents, including the committee, mobilized an ethical relation of communal attachment with its obligations and reciprocity that did not accord with the manager's economic relationship with the building and its community. Residents felt that the manager viewed the building and its occupants in economic terms (i.e., the return on investment that could be garnered from rental commissions and maintenance undertaken). Representatives of the building's unit owners were unable to exercise power relations in ways that might change the manager's behaviour. Hundreds of 'breaches of duty' had been served to the building manager. These attempts to rectify matters were unsuccessful, however, and resulted in large legal costs that had to be borne by both parties. Although some residents indicated a hope that a way would be found to achieve better working relations with the manager, an air of pessimism predominated. Residents described how personality differences had become so entrenched that the maintenance of civil communication was proving difficult. The committee members and resident unit owners remained frustrated by their inability to improve the relationship with the building manager. It appeared that both parties were becoming increasingly intransigent and that the only way to sever this dysfunctional cycle would be for the manager to sell the management rights.

A moral undertone pervading these interactions, coupled with a "lack of consideration for other home owners" (Cheshire et al. 2009, 664), was apparent. Due to their commercial focus, the

manager was perceived to be ignoring an ethic of community responsibility. Their actions not only resulted in a failure to adequately care for the building, but their ethical conduct was not directed at communal obligations. As such, relations of responsabilization did not reflect norms of conduct such as living and consuming in ways that do not impact negatively on other owners (Cheshire et al. 2009, 664). As Celia (a resident and ex-committee member) commented, *“you just have to hope that people are doing the right thing and that you’re not wasting money”*. The sense of dissatisfaction experienced by the resident owners created additional stress for the committee, as they had to field resident complaints about the building manager. This frequently immersed the committee members deeper into a complex, web of cross-party power relations between the manager, other committee members, unit owners and building tenants. These complex relations often created an untenable living situation.

In effect, inconsistent views on what constituted reasonable job delivery standards for relatively simple activities such as cleaning and maintenance affected relations between the key stakeholders, as well as liveability within the building. Power’s (2015, 249) observation that the “performance of building materialities impacts upon and alters the experience of inhabitation, shaping the ways people ... feel within buildings” is pertinent. However, Ho et al. (2006) acknowledged that a professional building manager has a positive effect on building management regimes within private apartment buildings due to their expertise and knowledge in the field. Thus, conflictual relations between the body corporate committee, unit owners, residents and the building manager were undermining the coherent lifestyle narrative (Rose 2000) that the residents were attempting to articulate in relation to their living experience.

Inconsistent interests across resident groups.

The issue of short-term holiday letting of units further complicated and exacerbated cross-stakeholder relationships. As highlighted earlier, the Queensland BCCM Act is modular based. Governing through this contractual technology, although flexible to differing building uses, might more clearly articulate how power was exercised within the building. Additionally, should a building be designated inappropriately by the developer at inception, this will have long-term ramifications for contractual arrangements that subsequent owners have to endure.

From comments made by interviewees, it appears that much of the legislation pertaining to the standard module was not adhered to by the developer who established and sold off the management rights (this is more usually associated with properties regulated under the ‘Accommodation Module’). The accommodation module allows for service and letting contractors of up to 25 years and places a financial responsibility on lot owners to maintain the building for commercial use (*Queensland Body Corporate and Community (Accommodation Module) Regulation 2008, s117 and s120*). Usually, the longer the contract term, the greater the potential value and

capacity to obtain finance for potential MR purchasers. Additionally, heightened building maintenance costs occur in buildings that are used for letting due to 'wear and tear' and the need to maintain commercial standards represent a financial burden borne by lot owners.

In this regard, the developer was able to exercise their field of knowledge to produce an economic relation that furthered the interests of the manager, but not the unit owners. Many of the building's apartments were in the building letting pool managed by the building manager. These could be booked online and for periods as short as one night only. From interviewee comments, it was evident that the building manager earned approximately 12% on all holiday rental revenue. At a minimum of \$200 per night in the low season, this represented a substantial source of income for the unit owners and the building manager.

Holiday renting falls outside the governance of the Queensland Government's standard module regulation, however (Cheshire et al. 2009; Flint and Rowlands 2003). This factor appeared to be complicit in giving rise to the stakeholder relationship problems described above. It also created difficulty for the body corporate committee when managing a range of problems associated with holidaymakers using the building's facilities in ways that were contrary to the interests of resident owners. Clearly holidaymakers were not part of the community envisaged by many of the resident unit owners when they bought their unit from the developer. Residents resented the intrusion of holidaymakers as they "transgressed private boundaries" (Power 2015, 249). For instance, holidaymakers were highly visible, due to their frequent and somewhat loud and boisterous use of the building's common facilities, such as the swimming pool and gym. There was no sense of reciprocity in how the holiday tenants "used" the building and owners had the responsibility for any repairs and maintenance that resulted from misuse. This extra cost was funded by increased body corporate fees. As the building manager does not undertake extra work unless directed to and paid separately, any holidaymaker behaviour that damages the building can lead to longer term negative implications for the building's infrastructure.

Holidaymakers were not perceived as being part of the building's core community, but were categorized alongside those who rent and viewed as "flawed consumers" (Bauman 2005; Cheshire et al. 2010) or "outsiders" (Elias and Scotson 1994). The committee and resident owners had limited power to change holidaymaker behaviour as unit owners had the right to place their unit in the short term letting pool. Further, holidaymakers typically booked their holiday accommodation online, and residents expressed frustration as there was little they could do to monitor or screen who would be co-residing in their building.

As buildings facilitate the bringing together and also segregation of residents, they also affect the enactment of "ir/responsible neighbour" (Power 2015, 250). Residents spoke about the 'lack of

control' over holidaymakers' actions, and their lack of accountability to anyone (the building manager was often absent), they were also seen to have 'no attachment' to, and a short-term consumption perspective of, the property. This undermined the sense of community and home that resident owners sought. David (a committee member) referred to holidaymakers as having 'no feeling' for the building and failing to look after it or respect the rules. Bylaws, rules governing behaviour and actions within the scheme, should be given to all occupants of the building by the letting agent. Communal norms of responsible conduct and obligation to other residents did not appear to work within this context. As Edna (a resident) noted, *'They're on holiday and all inhibitions seem to fly out the window'*. Holidaymakers were positioned as "bad" and "irresponsible neighbours" (Power 2015, 249). Although these experiences did to some extent mobilize a sense of community by uniting residents against "the other" or "outsiders" (Elias and Scotson 1994), ultimately, this impacted negatively on the liveability of the building for long-term residents.

Conclusions

This paper has sought to extend our understanding of the role that power and politics can play in multi-owned properties. A specific case was examined to illuminate the nature of governance and relations that can exist in a multi-owned property and the way that power/knowledge can be exercised to govern the management, relationships and governance in such buildings. As Easthope et al. (2014, 41) note, governance incorporates "[t]he structures, processes and practices that determine how decisions are made in a system and what actions are taken...". In MOP contexts, the governance of systems is largely predetermined by the legislative framework, however the quality of implemented governance is self-managed, either directly by a body corporate and its elected committee, or through an external management provider (Johnston and Too 2015). Management is responsible for creating an organization capable of achieving governance goals and ensuring these are effectively implemented and utilized. As Johnston and Too (2015, 454) state "[t]he primary role of MOP management is to make decisions within the framework set by the MOP governing body to achieve the objectives, also set by the governing body." Thus producing information and reporting that appropriate decisions have been made that produce desirable outcomes. The observations highlight that strata titling legislation is a key vehicle that is implicated in the way that MOP stakeholders encounter the exercise of power.

MOPs constitute a worthy context for exploring ethopolitical dynamics. These sites of governmentality rule are legislatively required to govern both the spatial and physical built form and also the consumption and behaviour of an MOP's residents. It has been observed that in an MOP context, ethopower is exercised through the values, beliefs and sentiments underpinning the responsible conduct of individuals consuming this housing product (Flint 2003). It appears that tenants

tend to be marginalised from the governance of an MOP community, and that this is an imbalance of power relations that created social tension. In addition, individuals who temporarily reside in a unit (i.e., holidaymakers) are a major source of tension for, and between, unit owners. This is particularly the case, as some body corporate members benefit financially from holiday letting (as landlords), while others perceive only negatives arising from holiday letting. A further imbalance of power relations stemmed from some owners lacking knowledge or failing to engage with the body corporate committee and building regulations. These factors are associated with owner apathy, which contributes significantly to dysfunctional governance (Easthope et al. 2014).

Ethopolitical values and sentiments are also apparent in an MOP's by-laws. As by-laws are often created by developers prior to residents consuming the MOP, they can frequently encumber residents with terms of reference and a vision with which they feel little affinity. The responsabilizing of community can be channelled as an attempt to redress these challenges and to build reciprocity, trust and a sense of community. However, the multiple distinct uses of a building and the enforcement of by-laws, sometimes by a committee that commands little respect, can lay seeds of distrust. The exercise of power through contracts, which in this case were created prior to the scheme's handover to owners, rendered many owners powerless and disengaged from aligning with the community. However, the exercise of ethopolitical technologies can explain the governmental rationality adopted through legislation to enable strata titling and a growth in the number of MOPs.

Through these rationalities, state and local authorities, via planning and housing policy are mobilizing ethopolitical objectives to shift governance towards responsible communities. This form of governing at a distance places an emphasis on MOP owners and their elected body corporate committee representatives to deliver governance and appropriately dispense management responsibilities. The effectiveness of this housing model is reliant on good governance, strong leadership and management, and compliant, engaged owners who have the capacity and willingness to fulfil these responsibilities. Foucauldian theory holds that knowledge and power work together in networks of relations with their own rationalities, mechanisms and strategies. The observations in this study highlight that the power/knowledge relations in the MOP context work to affect ethopolitical configurations in three key ways.

Firstly, a schism was evident between the elected body corporate committee and resident owners. The committee viewed many owners as apathetic and failing to mobilize any sense of communitarian values. This shared value deficiency was also manifested by owners failing to respect committee members' rights of privacy when walking around the building. A second way in which power/knowledge relations affected ethopolitical configurations was apparent in connection with the contractual technologies that mediated relations between the resident manager and the building's

unit owners. While part of the problem associated with building management related to the deficient specification of the manager's service delivery in the management contract, a substantial problem concerned the workability of the situation whereby the manager 'owned his job' through a long-term contract. The manager was seeking to secure a targeted return on his management rights investment and this pitted him against owners who felt the manager should enact responsibilized citizenship through membership of the building community and work beyond the specifics of the management contract. Relations between the two parties appeared sufficiently dire that the only way forward would be for the manager to sell the management rights. However, the manager would need to demonstrate a strong rate of return to a potential management rights purchaser, due to the building's high management dysfunctionality. Thirdly, the relations between the long-term residents and the holidaymakers fell beyond the remit of responsibilized citizenship articulated through ethopower. Holidaymakers exhibited minimal moral or communal obligation in their consumption of the building's facilities. This compounded frustration and dissatisfaction experienced by residents. The developer, supported by their legal knowledge and investor aspirations, positioned the manager in an economic relation that limited their communal obligation to the building and to some extent, pitted them against the residents and body corporate. These observations lend support to Guilding et al.'s (2005) proposal to develop legislation modules that require MOPs to be designated as owner occupied or for use for short term holiday letting. Such legislation would circumvent the challenge emanating from the conflicting interests of MOP owner occupiers and investor owners. However, given the growing emergence of the "sharing economy" (i.e. Air BnB, house sharing etc.) further research is required to explore the impact of resident and short-term lettings upon negotiating governance of spaces, particularly in the MOP context.

This research has highlighted how ethopolitical configurations are mobilized in MOP contexts to achieve privatized governmentality of rule. The growth of MOPs within the property development industry and diminishing service provision of governments is increasing the need for citizens to taking an active role in governing their spatial and built forms. The reliance on the fourth tier of government, i.e. collective home owners through body corporates, has identified the range, depth and complexity of power relations that exist and the power imbalances that create social and communal tension and conflict. Ethopolitics has provided a useful perspective through which to explore the exercise of power/knowledge in mediating relations within MOPs, where residents' aspirations and the structures that seek to govern them often collide in untenable and unanticipated ways. Importantly ethopolitics highlights the problematics of governing through rationalities that do not acknowledge the differing values, sentiments and the complexity of relations that are increasingly emerging in multiple ownership properties. Using an ethopolitical lens to explain responsibilized communities is

constrained to some extent. Citizens are not necessarily duped into identifying with community membership, nor do governing agents, such as the body corporate mobilize community, in the direct manner that is suggested by ethopolitics. Equally the body corporate, comprised of citizens, do not necessarily work as agents of social control. Ethopolitics also fails to account for gender. Women and men may use spaces with differing goals and objectives, experience and enact community differently and in ways that can create an additional layer of tension and conflict that impacts on how such spaces are governed.

With a continuing expected future growth in the number of individuals residing in MOPs, it is imperative that developers, building managers and owners' relationships are examined. A stronger appreciation of the way that power can play out in MOPs will assist in the development of informed legislation that can lay the basis for well-functioning MOP schemes. This is particularly important in tourism areas where an MOP's residential community may need to co-exist with holidaymakers. There is a need to provide effective tools and techniques to owners to enhance their ability to utilize diverse knowledge sources to meet the needs of effective community governance. Responsibilized communities provide the bedrock that can empower individuals to participate in MOP governance and management. However such communities must be built on trust, reciprocity, values and co-created norms. This study reveals that MOPs represent fertile contexts for the formation of adverse relationships that have the potential to detract significantly from resident satisfaction. We hope it lays the basis for further, similarly-focused, research enquiry that will extend our understanding of the key role played by relationships in strata titled complexes.

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