



Not good news from Queensland Government Ready Reckoner on the increase for the reading of meters gifted to park operators which is already in the site rent but not admitted, this means home owners are being charged twice for the one service. This sort of activity is contrary to the *Australian Consumer Law Act 2011* and is not fair trading; consumers should not pay twice for the same goods or service. We at ARPQ are looking at all options to have all double dipping stopped.

#### The 99A Saga Continued

In our July newsletter we spoke of a particular case in the Tribunal where lawyers for a park operator sort leave to appeal a decision favouring home owners, this appeal was upheld by the Tribunal so ARPQ wrote to the Attorney General pointing out it is the business of government to make laws not the Tribunal. We cannot claim and do not claim that our voice was heard but news came through very recently that the appeal has now been dismissed because the Tribunal did not have the jurisdiction to hear the appeal.

The irony of all this is 99A was in fact passed into law by the previous Labour Government, it is part of the MHRPA and is the law, and the park operators because they don't like it, seek to circumvent it with the blessing of the new LNP Government. We remain apolitical, but we will support any government that will do what is right by home owners living in residential parks. It is arguable that the Labour Government did not make section 99A understandable to park operators and their lawyers although as 99A reads, it seems clear if one has the ability to read, it is not difficult to understand. That said, if change is to be made, home owners can contribute by writing to the Premier as follows:

The Honourable Campbell Newman MP  
Premier of Queensland  
PO Box 15185  
City East  
Qld 4002

Here also is the web address for those who want to read the whole saga as written by Hopgood Ganim

<http://www.lexology.com/library/detail.aspx?g=153c889c-db0c-4107-aa07-65f4a0db6a4f>

It can take a little while to come up but it will work just follow the instruction-ctrl and left click a few times

#### The Tribunal & Site Rent Increases

In our letter to the Attorney General we also questioned the jurisdiction of the Tribunal to hear site rent increase matters which exceed the Tribunal's jurisdiction to hear issues that exceed \$25,000.00 which is the Tribunal's limit. We cited a recent case in which park operator sought an increase of \$16.50 per week from 202 home occupier sites for a five year rental period.

The equation for the above amounts to \$16.50 x 202 sites x 260 weeks (five years) this calculates out to a sum of \$866,580.00 which is a bit over the \$25,000 allowed for the Tribunal to hear. There can be no argument here. The sum total claimed by the park operator is as stated above, it is not a sum total for a week, month or year, it is the sum total for the next rental period based on an unexplained cost increase from the previous rental period of five years. It was the increase claimed and the Tribunal gifted the increase as usual outside of its jurisdiction of \$25,000.

#### The Federal Election

Now that Peter Beattie has decided to run for the Electorate of Forde in the coming election. To those people living in residential parks in the Forde Electorate just remember it was the Beattie government that passed the draconian *Manufactured Homes Residential Parks Act 2003* with the aid of his lawyer colleagues in Eagle Street. He also told the people of Queensland that the privatisation of the electricity industry would see a great reduction in the price of electricity.

We at ARPQ remain apolitical as we have already said but those MPs that work against pensioner home owners living in residential parks need to be reminded of the damage they have

caused through their legislation. Also, we have not heard one word from either side about pensioners. Is it because we have reached our use by date?

### On a Happier Note

QRPQ has been very busy, since the middle of July with lots of work with meetings, printing and general promotion of ARPQ and NARPAC the national body covering residential parks in all States. We had a stall at the July Seniors Week Expo at Broadbeach which proved very successful and rewarding. Further to this we had a stall at the Jupiter's Casino Seniors Expo Where Glen was able to meet and discuss the national body with Ms Bronwyn Bishop MP, Federal Shadow Minister for the Aged.



David Paton  
Hon Sec