



We have had one small change to the committee, Graeme Lynch, while remaining on the committee no longer holds the position of Treasurer due to personal preoccupation with the possibility of having to re-locate his home to another park. Those that have been in that position will understand the stress of it all. Our new Treasurer is Judie Dewar from the Gold Coast who is a book keeper by profession and is a godsend to us, a very professional lady. We try to run a lean association committee although we do want volunteers with computing and reading skills for research work and making up of flyers and pamphlets, all for the good of the residential parks industry.

### The Revision of the Act

We were unable to send out a February newsletter due to the work involved with the revision of the Act which is very time consuming. We have a meeting scheduled with the Department of Housing and Public Works (DHPW) for the 14 March so have been busy writing and collating recommended changes to the legislation.

Our approach is to seek a balance of interest between park operators and home owners which the DHPW find an acceptable and sensible approach. We know that the Act has always been one sided in favour of the park operators and the Tribunal has played its part in making life in residential parks less than pleasant and unaffordable. We at ARPQ have as a primary input to the revision is to concentrate on the objects of the Act to give same a more solid foundation. We have put forward material dealing with the site fee regime which is fair and reasonable and hopefully removes the Tribunal from hearing site fee increase matters. This is based on the fact that while the content of the site agreement is a legally binding document, the actual increase disputation should not be decided by lawyers; the issue is not of a legal nature. Site fee increases are purely an accounting and economic issue and should be heard by qualified people in those fields. As one lawyer in the Tribunal once said when an accounting issue was put by the home owners "I'm a lawyer not an accountant" hence unqualified people have been making decisions that affect the lives of thousands of home owners without the required qualifications.

We are making recommendations for changing the name of the Act to the Residential Parks Act 2013 and remove the outdated *Manufactured Home* element because what is now being built as manufactured homes defies the definition of the existing Act. Interestingly, homes in residential parks are being built as slab on ground and are definitely permanently attached to the land. It has been brought to our attention that such parks do not constitute a home under the current legislation and therefore, the Tribunal should not hear matters under the existing legislation. The Tribunal is either ignorant of this or are deliberately hearing matters they know they should not.

We are also looking very closely at the site agreement content that allows park operators to manipulate the conditions therein and put in special conditions that would breach Australian *Consumer Law*.

### The National Body

There has been a considerable exchange of communication between the State bodies and at the moment there is much discussion as to a Telephone Conference perhaps followed by a meeting in Canberra. It is envisaged that there be one person nominated from each State to discuss the way forward. What we can say with confidence is many residential parks home owners in all States are very keen on the idea so there is every reason to believe it will all happen.

David Paton  
Hon Sec