



20 August 2017

Continuing review of the *Manufactured Home Residential Parks Act 2003*

Fair balance of interest:

In recent years we have witnessed what could be described as “blow - in’s”, that is, overseas companies buying into the residential parks industry based purely on the financial return. These blow – in’s actually publicly advertise the returns to be made from seniors/pensioners.

To explain in the simplest of terms, the above is based on the legislation which has always been there dating back to the Beattie Labor Administration. I’m sure many will remember Mr Beattie appearing on TV telling us how privatisation of the power industry would mean cheaper power costs to consumers!

The site fee increase regime:

We home owners are more than familiar with the practice of park operators being allowed to increase site fees based on what other other parks in the locality are charging regardless of individual amenities and services. It’s amusingly called “comparing” no wonder the blow –in’s gather round the honey pot.

Our alternative regime:

1. If the current regime of comparison of parks over competition as required by the open market economy, then there must be a comparison factor introduced. We would recommend a rating system such as 1,2,3,4 and 5 star rating as in motels and hotels. It is only laziness on the part of the government at the encouragement of park operators that this is not so. Why compare Mangoes with lemons? Get the system changed to reflect fairness.
2. There must be a 60 day notice of intention by park operators to seek an increase based on the star rating system of the park. This would allow more time for home owners to make their own comparisons of their own park with same status parks and submit their findings accordingly should they wish to contest the increase.
3. After 30 days, the parties, park operator’s and home owners should enter into negotiation in the presence of an independent negotiator acceptable to both parties. Park operators should be forced to justify any increase. These negotiators should not be government appointed, government cannot be trusted because we have all experienced the QCAT bias in favour of park operators. Valuers are not needed. Our own research has proven that any Valuers of any professionalism will not carry out valuations on residential parks related to site fees. There are only the about three or four valuers of doubtful intent associated with the industry that are used by park operators and QCAT. The parties must reach an agreed increase if any as per the open market.
4. Independent negotiators should have proven knowledge of the rental industry and be familiar with the Act and the star rating system. Let’s get this site fee increase system out into the open and stop comparing 2 star parks with 5 star parks.

We recently sent a copy of an email from one of our members to this this Government showing an actual case of an old park with very little facilities charging the same site fees as a new modern park with very many facilities. If this Government is not prepared to act fairly for all, then they should not be there. Under section (4) (3) (b) of the *Legislative Standards Act 1992* Government is required to pass legislation that is “*consisted with the principles of natural justice*”.

ARPQ Committee