



25 August 2017

Act Review – Surrounds Continued

To continue our submission number 8 regarding the dispute resolution process we need to speak as we find in regard to the RSU, QCAT and PAVIL. We derive no pleasure from our comments, we can only speak about what we and thousands of home owners have experienced over time.

The residential parks industry requires a very big shake up via the legislation, otherwise the whole industry will not survive and grow into the Governments current grand plan for expansion. Common sense, fairness and appropriate trade practices must prevail. This also includes the dispute resolution process. Government cannot continue to protect the park operators who continually interfere, swindle and destroy the pleasure that residential parks openly advertise as being pleasurable havens of tranquillity for senior citizens.

Senior citizens, because of the frailties and mind sets due to the ageing process need special attentive management skills that the usual intellectually restrained managers of parks can never possess. We also have the problem of the blow-ins financed from overseas. These individuals know nothing of the Act and show no signs of wanting to gain such knowledge. They are creating havoc for seniors living in the residential parks that the blow-ins purchase to access the easy dollar.

For this reason, we must have in place a sound effective dispute resolution process that delivers results to offenders and past experience tells us that the RSU, QCAT and PAVIL do not deliver.

From what we have gleaned thus far from various sources is that the RSU are basically understaffed and are restricted from becoming too involved. QCAT has earned itself such a bad reputation not only from those unfortunate individuals who use its services but also the District Court of Appeal. We also understand that the legal profession generally consider the Tribunal and those who hold permanent positions therein, are of lesser practitioners seeking the easy way. Other casual members of this entity enjoy the experience of sittings because it makes them feel like judges. Hence the lack of the required discretionary powers.

If the Tribunal is to continue as the decision makers for disputation other than a true court of law. Then the rules of practice must be enforced by government and tribunal members should not make decisions about site fee increase. The individual members know little of the rental market let alone the more standalone leasing criteria of residential parks. It is doubtful that any of these individuals have ever visited a residential park let alone understand the actual differing quality of parks generally. It's a bit of a zombie syndrome.

As for PAVIL, we have never heard of a report where advice given has been helpful. Home owner enquirer's report that they are advised to go the RSU or consult a lawyer. Home owners can hardly afford the Tribunal these days let alone lawyers. The whole industry needs a complete shake up and order restored.

ARPQ Committee