

Fact Sheet 12: Complaints Handling



Right where you live

Better rights for home owners in residential parks

Obligations

The Manufactured Homes (Residential Parks) Act 2003 (the Act) places obligations and behavioural standards on home owners and Park Owners/managers.

They are legally enforceable and required to be complied with under law. Some provisions of the Act have penalties attached and these provisions can be subject to investigations by the Department of Housing and Public Works with potential outcomes.

Offences under the Act

One of the ways that the Act aims to ensure fair practices in residential parks is through assigning penalties for certain offences. Further, the Department of Housing and Public Works appoints inspectors to investigate alleged breaches of the Act and other compliance issues in Residential Parks.

It is important to note that not all breaches of the Act have penalties attached. For example, section 90 states that the Park Owner must maintain trees in the park common areas, but there is no penalty for failing to do so. In these cases the breach is best resolved through initiation of a 'residential park dispute' – see 'Fact Sheet 11: Dispute Resolution' for more information.

Making a Formal Complaint

You as a home owner, can make a complaint to Regulatory Services, at the Department of Housing and Public Works.

Your complaint should include:

- Your name and contact details
- The name and address of the residential park you have a complaint about
- The facts of the situation, including times, dates, place and incidents
- What action you have taken so far and which section of the Act you believe has been breached
- Copies of relevant documents or evidence to support your complaint (e.g. photographs, drawings, letters, agreements etc.)

Amendments to the *Manufactured Homes (Residential Parks) Act 2003 (QLD)*

There have recently been some changes to the *Manufactured Homes (Residential Parks) Act 2003 (QLD)*. 'The Act' for short.

You may be affected by its recent amendments.

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If your complaint is about a matter that is not a breach of the Act, the inspector may recommend another course of action or organisation to assist you in resolving the matter.

Regulatory Services can investigate any matter that comes under the Act, even if there is no penalty attached.

Investigations can take some time to be completed and do not always result in a fine for the Park Owner. In some cases resolution through negotiation or mediation may be more effective.

If you are concerned about confidentiality, so you can ask Regulatory Services to withhold your personal information when investigating your complaint.

Where To Send Your Complaint

Regulatory Services prefer complaints in writing. You can contact them on the details below.

Email:

regulatoryservices@hpw.qld.gov.au

Post:

Regulatory Services
GPO Box 690
Brisbane
QLD 4001

Phone: 07 3008 3450

Fax: 07 3008 5960

Rightwhereyoulive.org.au
info@rightwhereyoulive.org.au

Please contact Associated Residential Parks Queensland (ARPQ) for more information

Phone: (07) 3040 2344

www.arpq.org.au

Queensland Retirement Village and Parks Advice Service

QRVPAS (formerly PAVIL), situated at Caxton Legal Centre, provides information, advice and assistance on the law relating to manufactured homes

Phone: 07 3214 6333

Do you have a hearing or speech impairment?

If you are deaf, or have a hearing or speech impairment, contact us through the National Relay Service. For more information, visit:

www.relayservice.gov.au

Do you speak a language other than English?

If you need an interpreter, please contact the Translating and Interpreting Service (TIS) on **131 450** and provide them with the number you want to call

Disclaimer: This fact sheet provides information only and is not intended to provide legal advice.