

Fact Sheet 4: Park Rules



Right where you live

Better rights for home owners in residential parks

Management of a Residential Park

A Park Owner may make rules about the use, enjoyment, control and management of the park, however there are strict limits.

Additionally, there is a mandatory process for the making and changing of park rules

What rules are permitted?

Park Rules can **only** be made about the following:

- The use of communal facilities
- Noise
- Sporting and recreational activities
- Speed limits and parking
- Disposal of rubbish and refuse
- Pets

What rules are not permitted?

Park rules and Park Owners have no authority to restrict the access, number, frequency or length of stay of visitors (including house sitters) and no legal authority to charge additional fees for visitors unless this is set out in your site agreement - the contract you have with the Park Owner granting you the right to lease the land your home is on.

Changing Park Rules

Park rules may be amended as long as the process for changing park rules is strictly followed. This process is designed to allow home owners input into proposed rule changes and the ability to object to changes they consider unreasonable.

If at least five home owners object to a proposed rule change, then a Park Liaison Committee must be established to resolve the issue. If they cannot, either the Park Owner or a home owner can apply to the Queensland Civil and Administrative Tribunal (QCAT) for a ruling.

If the mandatory process is not followed, proposed changes have no effect and cannot be enforced by the Park Owner. **Park Owners cannot change rules unilaterally.**

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)*

You may be affected by its recent amendments.

Funded by



Queensland Government



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Legal Precedent

If a Park Rule goes against the provisions of the *Manufactured Homes (Residential Parks) Act 2003* or seeks to undermine the rights and protections of home owners, the Park Rule is considered to have no effect and therefore cannot be enforced by the Park Owner.



Right Where You Live

Right Where You Live is an initiative to assist home owners in residential parks to understand and access new consumer protections, by providing information, support and referrals to organisations who can help you.

Display of Park Rules

A Park Owner is required to display the current park rules on the park notice board or indicate how a copy can be obtained.

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