

Your AGM — “the best laid plans...”

Your 2021 AGM, unfortunately, was not one to be remembered.

It was our first AGM to be broadcast on “Zoom” to enable Queensland-wide viewing.

Everything went well at a previous “trial” run at the venue, but did not replicate “on the day.”

Our apologies to all our members who had trouble following events.



In this issue:-

- ◆ Your AGM—“the best laid plans...” 1
- ◆ President’s Corner 2
- ◆ 2021 President’s report 2
- ◆ Additional charges by Park Owners 3

Below left - Members at our AGM Below-Our Zoom screen



Graham Marriott

Your president for over 3 years,



Frans Hamer
Vice President,



Mike Kenavan, and



Greg Pomroy

did not stand for re-election;

Committee member



Roger Marshall

Was elected President &



David Kennedy

was elected Vice President.

Frans Hamer and Greg Pomroy have not “retired”. They have accepted appointment to our new Advisory sub-committee

CHANGES TO YOUR COMMITTEE

WE WELCOME NEW COMMITTEE MEMBERS



Max Broad

Max has resided at Ingenia Lifestyle Village Bethania since April 2018.

Most recent position on the HOA (HOC) was President from August 2020 to July 2021. He assisted unofficially with research for the still ongoing **Market Rent Review** dispute. He qualified in Advanced Trade in Diesel Fitting in 1966 with a Diploma of Teaching (TAFE) in 1983.

Max Retired in December 2011 after 30 years as a TAFE teacher in Heavy Earthmoving, Mining and Agricultural Equipment Fitting.



Paul Gardner

Paul is a retired (well sort of) Mine Ventilation adviser.

Over the last 30 years this required extensive travel not only throughout Australia but to more than 20 other countries.

A home owner in a residential park since 2018, Paul has been an elected member of the HOC for four terms, two of these as secretary.

Being a party to a rent dispute and the involvement with QCAT has provided Paul a good understanding of essential changes needed to better protect residents.

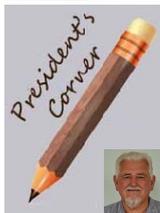


Dirk van Beekhuizen

Pronounced “Derek” Dirk has retired, or what he calls “semi-retired”, over the past forty years.

Prior to taking up retirement he spent a time on FIFO (Fly in Fly Out) contracts within the Mining Industry, which allowed him to travel to places such as Papua New Guinea, Indonesia and Cote d’Ivoire (Africa) plus various locations within Australia.

He is a home owner in Golden Downs Lifestyle Village, (2019) and is now in the role of “Bar Manager” (Bar Convenor).



My First President's Corner

In this my first newsletter message as your President, I want to reiterate the commitment I gave at the recent AGM that my leadership will be focused upon the ARPQ becoming a stronger organisation better equipped to represent our members than we already are.

At the first meeting of your new committee there was unanimous agreement that we are aiming to ensure that our Association is recognised and respected by all stakeholders in Manufactured Home Residential Parks as a highly effective peak body representing the interests of homeowners.

As a committee we are determined to do something about the injustices we see homeowners experiencing. Injustices that result to a large degree from the power imbalance in the relationships between them, as ordinary women and men in the street, and their park owners, often large national or international corporations.

In order to do that we will need to work towards increasing our own power and influence.

I look forward to keeping you well informed about how we go about achieving these goals.

Dr Roger Marshall, President, ARPQ, Inc.

Retiring President's report, by *Graham Marriott*



The activities of your Management Committee during the period since our delayed Annual General Meeting in February continued to be adversely impacted by COVID 19 restrictions, especially our Park Visit and Community Education program under the Government sponsored 'Right Where You Live' initiative.

However, the impact was not as severe as it was last year and we were able to make progress in a number of significant areas. Hopefully, with increasing vaccination levels and the general lifting of all restrictions, activity over the coming year will be back to near normal.

Despite the ongoing difficulties that we have faced, I am pleased to report that since our meeting in February we have still been able to:

- Maintain an active program of interaction with various parts of Government, including participation in the Department of Housing's Residential Park 'Best Practice Working Group';
- Obtain commitments from the Government, as per its Housing Strategy 2021-25 Action Plan, that a further review of the Manufactured Homes (Residential Parks) Act (the **Act**) is necessary, including amendments to reflect the changing nature of the Residential Park industry;
- Obtain a further extension of the funding provided by Government under 'Right Where You Live' through to 1 July 2022;
- Initiate online ZOOM meetings with a selection of member Home Owner/

Residents' Committees;

- Initiate a total revamp of our website to improve its impact, visual appeal and useability;
- Visit and/or contact 53 residential parks for face-to-face presentations and Q. & A sessions under the 'Right Where You Live' community education program, briefing around 1080 Home Owners on their rights and obligations under changes to the **Act**;
- Provide advice or advocacy support to 103 formal responses for individual or association members with various issues arising from their dealings with their Park Owners and attend to over 150 verbal phone inquiries relating to living in a Residential Park;
- Assist members with matters before QCAT and continue to raise our concerns with Government including referring 5 parks to Regulatory Services for clarification of 14 issues;
- Recruit an additional 193 members as well as establishing contact with a further 21 Home Owner associations. This despite factors beyond our control.

As I previously reported, motivating Home Owners to take an interest in their rights and be prepared to take action to protect those rights, is the biggest challenge we continue to face. This has continued to be difficult this year with restrictions to our park visit program, and the reduction of opportunities to speak to home- owners face-to-face.

This continues to reduce our public profile which in turn has probably negatively impacted membership numbers.

Retiring President's Report—Continued from Page 2

I would like to thank the outgoing Committee members for their stalwart efforts in overcoming the challenges we have faced this year and for the support they have provided to me.

All have worked tirelessly and I could not have managed without their encouragement and assistance throughout what has been a particularly tough period. I thank them all, especially for their additional effort over the past few months following my decision to step back from the President's role for health reasons.

For these same reasons I have reluctantly decided not to renominate for next year. I wish the Association all the best going forward and will continue to support them where I can.

The new Management Committee will rightly and understandably have its own priorities going forward, but I believe it is important to build on what we have already achieved, especially in relation to further amendments to the *Act*. Consequently, I foresee that some of the challenges we face over the coming months are:

- Continuing to work with and lobby Government on further amendments to the *Act* to improve and protect home-owners' rights and hopefully working with Government on those amendments to achieve our aims;
- Re-invigorating our park visit and home-owner presentation program under the 'Right Where You Live' initiative with the intent of achieving our target of 70

additional Residential Park visits (additional to those visited prior to COVID19 restrictions being imposed) by 31 December 2021;

- Finalising the revision of webpage to significantly raise our profile with members, potential members and government agencies;
- Investigating the use of social media and other technology-based initiatives to facilitate better interaction with members and potential members;
- Launching our usual 'special membership offer' in April/March next year;
- Investigating other ways to significantly expand our membership base, to develop a stronger Home-Owners' representational body to try to match the power and strength of Park Owners;
- Expanding the number of Park Liaison Officers and where appropriate Regional Co-ordinators to assist with the recruitment and our communication with members, especially in the remoter areas of regional Queensland.

In accordance with our Constitution, nominations for next year's Management Committee closed on Monday 18 October 2021 and I am pleased to report that sufficient nominations have been received to fill all positions on the committee.

An election will therefore not be required at the AGM with all nominees to be declared 'elected un-opposed'.

Thank you and best wishes
GRAHAM MARRIOTT
Outgoing President

Additional charges by Park Owners

In the past, ARPQ Advisory has had enquiries from members in mixed use parks where the park owner charged, or was attempting to charge, a nightly fee for visitors to stay with the home owner.

Also we have come across a charge for an additional vehicle to be parked on the premises, whether it is a home owner's second vehicle or a visitor's vehicle.

In these cases our Advisory has referred the home owners to both the **site agreement** and the **village rules**.

If there is **no provision** in either of these for a specific charge, **then the park owner cannot levy the extra charge**.

Apparently this is still an on-going issue in some mixed use parks.

Additional charges by Park Owners—continued page 4

Many thanks to Logan Council's Bethania Community Centre

For use of a meeting room during the year and the Auditorium for our AGM. Bethania Community Centre has rooms for hire. Just contact them on (07) 3805 2687



ARPQ Contact details:- PO Box 1124
 Park Ridge Q 4125
Phone: (07) 3040 2344
Membership: membership@arpq.org.au
For advice: advisory@arpq.org.au
General enq.: secretary@arpq.org.au

Additional charges by Park Owners—Cont. from page 3

In order to make the position of each party perfectly clear, we will refer to the QCAT case OCL062-14.

In this case,

- 1) *The mixed use park owner was seeking to charge an amount per night for visitors and an amount to park extra vehicles. The home owners objected to these charges.*
- 2) *The park Owner claims that the home owners cannot object to the requirement to pay these charges because they have been in effect for more than 17 years and are therefore not a “proposed change” to the park rules.*

The tribunal member thought otherwise on the basis that the charges were made without the park rules or site agreements specifying the exact amounts of those charges.

The interesting part of the decision is that the site agreement and the rules contained

“...can charge an amount for visitors and an amount for extra parking.”

However, none of these rules specifies the amount per night for visitors or the amount for any extra vehicle of a home owner.

The tribunal decision included

“It cannot be fair for home owners to be bound by an amount of which they were

STOP PRESS

PLEASE NOTE

Membership renewal was due on 1 October. If you have not already renewed, your early attention would be appreciated.

unaware when entering their site agreements and to which they therefore did not agree. I am therefore satisfied that charging an amount per night for visitors and an amount for extra parking are each a “proposed change” to the park rules.”

“Because charging actual amounts is a “proposed change” to the park rules, the Park Owners must follow the prescribed process to change the park rules.”

As a result, the orders of the tribunal were:

“It is declared that any amount per night charged for visitors and any amount charged for extra parking of Home Owners do not comply with sections 78 to 81 of the Manufactured Homes (Residential Parks) Act 2003 and are therefore void and of no effect.”

Consequently, we reiterate our advice to members in mixed use parks (or in any park for that matter). Unless either the site agreement or the village rules state a specific amount for an additional charge, the home owners are not obliged to pay those charges levied by the park owner.

Your ARPQ Committee
takes this opportunity
to extend
Seasons Greetings
to all our members

*Merry Christmas
&
Happy New Year*



To contact Committee members please see details on our website <http://www.arpq.org.au>