

## IS THIS THE LONG AWAITED “ACT REVIEW” WE HAVE BEEN WAITING FOR?

According to this article in the Sunday Mail, 9th July 2017 (Page 17), “new laws will be introduced to protect Queenslanders living in retirement villages and residential parks across the state in a shake up of the industry”

Premier Palaszczuk said “We must ensure our Queensland seniors can enjoy peace of mind in their retirement years by giving them stringent consumer protections they need and deserve.”

She said she wanted the new laws to take effect before the end of the year.

It is reported that rent increases will be limited, contracts simplified as well a support for Associations representing home owners.

Maybe, just “maybe”, the work and effort put in by your ARPQ committees over the years, is now finally set to pay off.

Your current committee will use its endeavours to bring the new Act (however styled) into law (*by the end of the year?*)

Thanks to all our members, your continued support have helped us get this far. Please ask those who are not members to join us to continue the fight.

**KEEP WATCHING OUR WEBSITE FOR UPDATES**

### THE RETIREMENT VILLAGE INDUSTRY

At our age, all most of us want is to live out our remaining years in quiet comfort.

A “Retirement Village” has benefits, generally with progressive care as needed and there are many happy residents.

However, we hear reports of unconscionable behaviour on the part of village operators. The recent ABC “4 Corners” expose certainly highlighted concerns of some people.

It should be remembered that residential parks and retirement villages are part of the “Retirement Industry” (*see opposite*)

ARPQ suggests the retirement industry should come under a Federal “Aged Care Act” for uniformity Australia wide.

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We have recently had contact with the

### Association of Residents of Queensland Retirement Villages (ARQRV)

Which is “An association for the protection of the interests of all residents in Queensland retirement villages.”

Like us (ARPQ) they are volunteers and advocate for residents in retirement villages.

Retirement villages run under a separate Act, the “Queensland Retirement Villages Act 1999” which is different to the Manufactured Homes (Residential Parks) Act under which we exist.

However, from recent reports, it would appear that they also suffer from “Landlords Lament”; Village owners more interested in the money.

As some of our problems are not dissimilar, we think it would be mutually beneficial to establish an association with ARQRV.

For many of us in residential parks, the next move is to a retirement village; a major move requiring a lot of thought and preparation! If you are thinking of moving to a retirement village it will help to join the ARQRV.

Postal address: PO Box 1361,  
Buddina Qld 4575  
Phone: Judy on **07 5433 9380**  
Email: [president@arqrv.org.au](mailto:president@arqrv.org.au)

## PARKS VISITED SINCE THE LAST NEWSLETTER.

**O**n average one park per week has asked ARPQ to meet with them or their Home Owners Committee to advise on situations arising within their park.

We assisted another park in forming a new Home Owners Committee and left them with an informed group ready to help their residents and Homeowners.

Unfortunately the same complaints seem to come up again and again when we visit parks i.e.:-

- Unlawful park rules,
- Untrained managers
- Intimidation of homeowners
- Unethical practices in some mixed parks in relation to home sales and termination of leases

- Withdrawal of park facilities without a reduction in site fees
- Reassignment of site agreement to new owners of pre loved homes,

### ***and the list goes on!***

It seems that there is negligible training given to Park Managers with regard to the administration of the Act and how to deal with seniors.

Many Park owners instruct their Manager(s) to do their bidding regardless of what the Act says.

**We homeowners are merely a means to make Super profits for these Corporations and Park Owners.**

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## PARK RULES

### DOES YOUR PARK HAVE ILLEGAL AND DISCRIMINATORY PARK RULES?

We have found recently that many Park Managers and owners  
**are bluffing homeowners**

***into accepting park rules that are not in accordance with the Manufactured Homes Act.***

Please refer to Sections 77 to 85 the Manufactured Homes (Residential Parks) Act  
Below is section 77 that specifies **ONLY** what park owners/managers can make park rules about.

#### **77 Park owner may make park rules**

- (1) The park owner for a residential park for which site agreements are in force may make rules about the use, enjoyment, control and management of the park.
- (2) However, rules may be **made only about**—
  - (a) the use and operation of the communal facilities; and
  - (b) the making and abatement of noise; and
  - (c) the carrying on of sporting and other recreational activities; and
  - (d) the speed limits for motor vehicles; and
  - (e) the parking of motor vehicles; and
  - (f) the disposal of refuse; and
  - (g) the keeping of pets; and
  - (h) other things prescribed under a regulation  
*(-being a legally constituted law or statutory regulation).*

If you are not sure give ARPQ a ring to clarify any situation.

**DON'T FORGET WE CAN COME TO YOUR PARK IF INVITED BY YOUR HOC OR MEMBERS.**

**Remember** - your visitors and tradespersons cannot be denied entry to the park.

They do not have to sign in or produce any identification to enter your park/village.

*However, especially with new visitors/tradespersons,  
it is a good idea to check identification at your house.*

## PRE LOVED SALES

As you may know from previous advice, ARPQ has, in an effort to help members, been running a listing service for members selling their homes.

We are aware of the limited coverage and usage of our website and are continually looking to improve services to you the Homeowner.

Many homeowners may already know of Dennis Ring of "Over50sResorts"

*He is a fully licensed real estate agent who has for many years been specifically selling pre loved homes.*

We have reached an agreement with Dennis re selling of homes for ARPQ members.

From now on, we ask that if you are wanting to sell your home, please contact Dennis Ring; we feel he will provide more opportunity for an expeditious sale; we do not need to tell you that the sale of our Pre Loved Homes can be a long and arduous journey  
In return, he will promote ARPQ within the Parks which he regularly visits to show houses.

Dennis will also liaise with us on entry to parks, homeowners rights to sell to whom they choose and other issues such as reassignment of site agreements.

Dennis is already well versed in the above and the Act; but should it be necessary ARPQ can advise during the process.

We have already done this within a few parks where access was denied and proper procedures not followed by the Managers.

Dennis's web site is:- [http://www.](http://www.Over50sResorts.com.au)



Have a look if you are considering selling your home. Dennis will list from the Sunshine Coast to the New South Wales border.

Also another successful agency has been recommended to us - that being:-

Raine & Horne City Road Beenleigh.

These agents have been promoting pre loved sales in their area.

However, ARPQ have no connection with them so ask lots of questions before listing.

DON'T FORGET A FORM 9 is the **only** form that you sign when listing your home with anyone.

DO NOT GIVE SOLE AGENCY TO ANYONE. Only **sign the FORM 9 with no amendments** or additions.

If you give SOLE AGENCY and subsequently sell the home yourself then you will liable for the FULL COMMISSION

### **RECOMMENDED LAWYER LIST FROM THE QUEENSLAND LAW SOCIETY**

You may need expert legal advice along the way, which ARPQ does not give. We are not Lawyers.

The Law Society assure us that these Lawyers are familiar with our Act.  
However ARPQ cannot take any responsibility for their advice or charges.  
Please do your homework and ring around.

ROBERT MAGGS	ROBERT MAGGS SOLICITORS	NUNDAH	07 3630 4440
PATTI RAWARD	SULLIVAN LEGAL	COOLANGATTA	07 5536 3334
CARMEN SULLIVAN	SULLIVAN LEGAL	COOLANGATTA	07 5536 3334
PAUL MC HUGH	THOMPSON McNICHOL	MAROOCHYDORE	07 5443 1566
DAVID NETHERTON	PACIFIC LAW	MAROOCHYDORE	07 5443 4744
TERRENCE BETHKE	MUNRO THOMPSON	MOOLOOLABAH	07 5444 3466

Please remember the important document is your Site Agreement as you are not purchasing Real Estate, as in LAND.

Any Special Terms are of concern as they may be in contravention of the Manufactured Homes (Residential Parks) Act 2003, and/or may not be in **your** interests.

**PLEASE  
NOTE**

**ALL PAYMENTS NOW TO BENDIGO BANK, BSB—633 000 ACCOUNT— 158853051**

## ANNUAL GENERAL MEETING

DUE OCTOBER

Formal notices for our next Annual General Meeting (AGM) will soon be going out advising:-

- The date, time and venue for the meeting; and also with:-
- Notice of any resolutions requiring approval at the AGM.
- Membership renewals for all current financial members and Associations

Details of how to renew will be included, as well as our new bank details.

## WE ARE NOW ON FACEBOOK.

(and just scratching the "Social Media" surface)

We are getting serious with Social Media as a means to further spread our message.

Go to the Facebook web site "facebook.com".

If you do not already have an account, you need to create one, follow the prompts.

Then search for

"Associated Residential Parks Queensland".

"Like" us, comment on a posting, repost or "share" to your friends.

## MEMBERSHIP

Many new members and Home Owners Committees have joined since the last newsletter with numerous phone calls regarding homeowner's rights coming in.

"MailChimp" which sends your Newsletter has been updated & linked in with our membership register which should now be completely up to date regarding email addresses.

*If you have changed your email address since joining or now on email please give Barbara a ring on 3802 1863 to update your details.*

We still have many homeowners not with email but will send a hard copy through your liaison person in your Park.

We would appreciate all members to make sure the **newsletter is displayed** on your **home-owners notice board.**

**CAN YOU HELP?**  
 We are looking for a J&M Moran  
 All we know is "J&M is for John and Margaret, and the reference, "U 9". If you know them, please ask them to ring me (Ian Morgan) on 0412787147

## STOP PRESS

The Federal Liberal Member for Fadden, Stuart Robert, is holding a "SENIORS EXPO" at the Runaway Bay Indoor Sports Stadium on the 12th July starting at 9:00am.

Come and see us at our "ARPQ" stand, have a chat about your situation in your park; or JOIN UP—membership forms available!

Food and entertainment galore!

- What:** Seniors Expo  
**Where:** Runaway Bay Indoor Sports Stadium, Sports Drive Runaway Bay  
**When:** Wednesday 12th July, from 9:00am

*See You There*

**ARPQ Inc.** The only independent non-profit incorporated Association actively working for you.

## PARK INSURABLE INTEREST in your Home & contents insurance

As reported in the last ARGUS, some Park Owners were requesting you include them in your Home insurance policy as having an insurable interest.

Our investigations revealed Parks do not have an insurable interest in Homeowner policies.

We advise that those Park Owners are no longer requesting an "insurable interest"

Look for our advertisement in "The Senior" Queensland edition for Jun, Jul, Aug and Sep

If you live in an "Over 50's" Resort . . .





ARPQ—Associated Residential Parks Queensland  
**Your Voice  
 Your Rights**  
 A non profit, Volunteer Incorporated Association

YOU NEED US!

- ▶ Empty Nesters?
- ▶ Downsizing?
- ▶ Considering moving into a Lifestyle village (Manufactured Home Park)?
- ▶ Having problems or concerns with Park owners management?

**Protect your lifestyle and rights!**  
 Member benefits include advocacy with Government Departments and Village owners/managers.  
 Membership from \$15 per annum

www.arpq.org.au Phone: Beryl - (07) 3297 1413 | David - (02) 6672 8335 | Barbara - (07) 3802 1683