

# Fact Sheet 1: Manufactured Homes in Residential Parks

## Owning a Manufactured Home

Owning a manufactured home in a residential park is actually very different to owning a conventional house. Manufactured homes are subject to their own unique legislation and there are many differences between the laws governing manufactured homes and real estate.

One major difference is that when you buy a manufactured home in a residential park, you do not own the land it stands on. You will be buying the house, but renting the land from a Park Owner. Living in a residential park also involves communal living and there are a number of rules you need to comply with about how the park is operated and how you are expected to behave.

There are a range of different areas where people might need support and advice before they buy a manufactured home, so they can make an informed decision, particularly as the law that governs manufactured homes recently underwent some changes.

## Associated Residential Parks Queensland

Associated Residential Parks Queensland (ARPQ) is the peak organisation in Queensland representing the interests of home owners in residential parks. We provide a range of independent advocacy and advisory services to our members in their dealings with Park Owners or managers and government agencies.

ARPQ is a members-driven organisation and provide members with specific advice on their situation.



## Our Fact Sheets

Our fact sheets cover the recent changes to legislation:

**Fact Sheet 2 & 3: Buying & Selling a Manufactured Home**  
Buying or selling your manufactured home is only one part of the process. You must also consider the site agreement, a document laying out site rent and other details.

**Fact Sheet 4: Park Rules**

Park managers can set rules about the use of the park, however there are strict limits.

**Fact Sheet 5: Home Owners' Committees**

You have a legal right to establish and participate in a Home Owner's Committee, and have your say.

**Fact Sheet 6: Behavioural Standards**

New behavioural standards ensure the peace, comfort or privacy of people living in the park.

**Fact Sheet 7: Prohibited Special Terms**

There are now 'special terms' in site agreements that have been prohibited, such as unexplained additional charges or having to appoint the Park Owner as your attorney.

**Fact Sheet 8: Rights and Obligations**

Maintenance of common areas, autonomy over your affairs and communication standards are all requirements of owning or living in a residential park.

**Fact Sheet 9: Varying Site Rent**

There are new restrictions on how site rent is varied, whether a 'general increase' or 'special increase'. Only one general increase is allowed per year and only one basis for that increase can be used at a time.

**Fact Sheet 10: Utility Charges**

There are strict rules on utility charges, no additional fees can be charged by the Park Owner outside the cost they pay to the supplier.

**Fact Sheet 11: Dispute Resolution**

You can file a 'dispute negotiation notice' (Form 11) over disputes in your park, and after attempting mediation, can make an application to the Queensland Civil and Administrative Tribunal (QCAT).

**Fact Sheet 12: Complaints Handling**

There are obligations on Park Owners/managers which are legally enforceable and provisions for investigating potential breaches of those obligations.

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

The Queensland Government recently amended the *Manufactured Homes (Residential Parks) Act 2003* to improve protections for home owners and residents. These include laws to promote respectful relationships between Park Managers and home owners.

### **Did You Know**

- From mid-2019, there will be additional information and disclosure requirements before you buy a manufactured home
- Park Owners will have to prepare, maintain and implement plans for visitor and health care provider access to the park
- There is a new dispute resolution process included in the amendments

Additionally, the new *Manufactured Homes (Residential Parks) Regulation 2017* has now come into effect containing a list of 19 significant 'special terms' which are now prohibited from being included in any site agreement. If any of these prohibited terms are part of your existing site agreement, that part of your site agreement is inconsistent with the new regulation and cannot be enforced against you.

## **Right Where You Live**

Right Where You Live is a Queensland government initiative designed to raise awareness about changes to the *Manufactured Homes (Residential Parks) Act 2003*.

In association with five other seniors' and residential organisations, ARPQ will be working on an awareness raising campaign to assist current and prospective home owners to:

1. Understand the recent changes to the *Manufactured Homes (Residential Parks) Act*, the laws that govern home owners, residents and Park Owners.
2. Improve your capacity to represent your interests to Park Owners and managers.

For more information or to obtain one of our fact sheets listed above, please visit our website.

**[Rightwhereyoulive.org.au](http://Rightwhereyoulive.org.au)  
[info@rightwhereyoulive.org.au](mailto:info@rightwhereyoulive.org.au)**

### ***Please contact ARPQ for more information***

Phone: (07) 3040 2344

[www.arpq.org.au](http://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](http://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*