



# BULLETIN

## JANUARY 2023



**Dear Members,**

Welcome to this JOINT BULLETIN from Associated Residential Parks Queensland Inc. & Manufactured Home Owners Association Inc, with an update on progress of the merger of these two organisations.

In December last, members of the two Associations voted overwhelmingly to unite as a new organisation to be named ***Queensland Manufactured Home Owners Association (QMHOA)***.

Since those meetings there have been several discussions between the two parties culminating in the Steering Group consisting of Roger Marshall, Errol Way, Maggi Wayne, Anne Bemis and Noel Wright, meeting on the 23<sup>rd</sup> of December to complete the Application for Incorporation of QMHOA. These documents have now been lodged with the Office of Fair Trading (OFT). At this time, we are optimistic that the proposed new name and the draft constitution will be approved by the OFT in a timely manner.

While we await this approval, the Interim Committee, consisting of current committee members of both organisations, as approved at the December Special Meetings, will be meeting soon to plan arrangements and procedures needed to commence integration into the new Association. Among other matters this Committee will make arrangements for a General Meeting of members later in the year to formally elect a Management Committee which will take the new organisation forward.

This integration will be a gradual process possibly stretching over several months. To ensure continuity of service, however, both MHOA and ARPQ will continue to operate as independent organisations providing information and advice to members until the actual amalgamation takes place.

### **MEMBERSHIP RENEWALS:**

Currently membership of MHOA falls due on the 31st of March 2023 while ARPQ memberships don't become due till 30<sup>th</sup> September. It will be the urgent task of the Interim Committee to decide what fee will be set for QMHOA and how this will be applied in a fair manner to all current members of both associations.

It is hoped that details of membership fees together with details of how and when these will be applied, will be announced early in February.

### **PROMISED REFORMS FOR MANUFACTURED HOME OWNERS**

The formation of the QMHOA comes at a time when we anticipate that strong advocacy will be required on behalf of home owners in manufactured home residential parks.

The Qld. Government's Housing and Homelessness Action Plan 2021-25 includes commitments to address home owners' concerns about site rents and the sale of homes and to provide better ways of managing and resolving disputes in residential parks.

The first step in delivering on these promises was to focus on identifying exactly what the problems are that need to be addressed. ARPQ, MHOA and many HOCS and individual home owners participated in this process during 2021-22 through residents' surveys, feedback to an Issues Paper and taking part in research projects.

Now officials of the Dept. of Communities, Housing and Digital Economy (DCHDE) have promised that in early 2023 they will publish papers in which they will outline options for taking action to



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address the problems identified. The content of these papers will give us a good idea whether the DCHDE will be likely to recommend the sort of reforms and changes that ARPQ and MHOA have been calling for on behalf of home owners.

We anticipate that there will be a need for determined leadership and strong, persuasive advocacy from QMHOA and our members to ensure that the voice of home owners is heard loud and clear in the debates that follow the publication of these papers. It is vital that the interests of home owners are properly addressed in the reforms that are finally recommended to the government later in the year.

We are confident that the amalgamated QMHOA will make us more powerful than we were as two separate organisations, able to exert greater influence in the important decision making processes that lie ahead in 2023.

### **HOW MANY MANUFACTURED HOME RESIDENTIAL PARKS ARE IN QLD?**

A release by the Qld. Department of Housing on 31 August 2022, listed 202 Manufactured Home Parks in Qld. This list however includes caravan and mixed use parks, a number of which lists only one or two manufactured homes. It also includes some establishments that seem to be more assisted living or aged care facilities.

MHOA presently has members in 67 villages and parks while ARPQ lists members in 125 of these. It therefore appears that once amalgamation is achieved, there will only be a small number of purpose-built residential villages without a presence of QMHOA and the aim will be to bring these 'into the fold' so that QMHOA can enter negotiations with the Government as the representative of all residential villages in Queensland.

### **WHO CAN BRING A DISPUTE TO QCAT?**

Basically, any person or persons who lives in a residential park under a Manufactured Home Site Agreement may apply to QCAT to have a matter considered.

Home Owner Committees have been able to be an Applicant since 2017 and a resident may make an application against another resident under certain circumstances.

Where a number of home owners are involved in the one dispute, they can join together under the one application, and pay only the one single fee for the entire group.

Except for a few urgent matters, such as a home owner facing imminent eviction, QCAT and the Manufactured Homes Act require that a three-step process is followed for resolving disputes.

Under this requirement, the party seeking redress must take the following steps:

1. Serve a Form 11 on the other party seeking a discussion, and hopefully a resolution, of the problem.
2. If unsuccessful, write a letter of application to QCAT requesting mediation. (a fee of \$367 applies)
3. If this also unsuccessful, write a letter of application to QCAT requesting adjudication of the problem. (a further fee of \$367 applies)

Unfortunately, the process of dispute resolution is slow and could take up to a year to wind its way through the system. Nevertheless, the system does work and for residents facing ongoing problems, it is worth the effort required.