



Factsheet 10. Utility Charges

Queensland Manufactured Home Owners Association Inc.

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• QMHOA RIGHT WHERE YOU LIVE FACT SHEET SERIES

Utility Charges

In some residential parks, home owners purchase their utilities directly from a supplier in the same way as other residential customers, whilst in others they are purchased from the Park Owner under terms prescribed in the Manufactured Homes (Residential Parks) Act 2003 (the Act).

It is important that a prospective home owner carefully check all terms in their site agreements concerning utilities/ services charges before entering into a site agreement so as they are aware of those applicable charges which are additional to their site rents and if they must arrange a supplier themselves.

This fact sheet only relates to the latter situation (where they are purchased from the Park Owner).

What is a Utility?

The following services are defined as utilities under the Act:

- Electricity
- Gas
- Sewerage
- Water

When Utility Supply *IS NOT* Separately Metered

If supply of a utility is not separately metered at a home site, the park owner must not charge a separate charge for use of the utility. Instead, the cost of utility supply may be incorporated into the site rent.

When Utility Supply *IS* Separately Metered

The provisions of Section 99 and section 99A of the Act govern separate utility charges. They apply to manufactured homes which satisfy the following requirements:

- The home is subject to a site agreement between the home owner and park owner
- The service is classified as a utility under the Act
- The supply of the utility is separately metered or measured at the site

In these cases, park owners may charge home owners separately for the cost of the supply of the utility to the premises. However, they must not charge an amount, or arrange for a home owner to be charged an amount, which is more than the amount that they pay to the supplier.

In addition, the park owner must not charge an additional fee for supply or on- supply, for example for infrastructure maintenance, an administration fee such as issuing an account, a meter reading fee, or an amount relating to obtaining any state government concessions or rebate for the home owner.

To ensure that home owners are not being overcharged, they should ask the park owner to keep a copy of the utility supply bill at the park office for home owners to inspect and display a copy on the park notice board.

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Overcharging

The Act provides for dispute resolution between park owners and home owners (For more information, see '**Fact Sheet 11: Dispute Resolution**'). Home owners who suspect they are being overcharged should first discuss the matter with the park owner.

If they are unable to resolve the dispute through a mediation process, they can access free dispute resolution services through the Department of Justice and Attorney General.

If this is unsuccessful, home owners can apply to the Queensland Civil and Administrative Tribunal (QCAT) for a ruling on the matter.



For further information:

QMHOA Website:

www.qmhoa.org.au

Phone enquiries: 0468 458 625

Not a member, please join us:

www.qmhoa.org.au/register/

**Queensland Retirement Village
and Parks Advice Service**

(QRVPAS): Phone 07 3214 6388

Caxton Legal website:

www.caxton.org.au/

Phone: 07 3214 6333

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