



AMHO'S AGENDA JULY 2024

While the Alliance applauds the government on the removal of the Market Rent Review, there are other aspects of the amendments and the existing legislation, which still need to be addressed.

- **A more efficient and effective dispute mechanism -**
 - a. **Appointment of an independent Ombudsman** - QCAT is not fit for purpose. It can take 2-4 years to hear disputes and has no power to enforce their rulings, hence many park owners just ignore them or appeal decisions when residents have a win, using the full might of their legal resources. We must have an Ombudsman who specialises in disputes under the MHRP Act and who can give binding rulings on all matters relevant to residential parks.
 - b. **Site Rental Fee Increase clause 69E (3)** - where there is a disputed site rental fee increase, the increase should not commence until the dispute is resolved. At the present time the increased fee must be paid until the dispute is settled through QCAT taking up to 4 years in some cases.
- **Capping the annual general site rent increase, ie 3.5% or CPI whichever is the greater** - This methodology is incorrect, it is not a cap at all – not only is 3.5% more than the annual pension increase, usually about 2% per year, meaning this increase percentage has already outstripped income. So, with the annual increase being the **greater** of 3.5% or the CPI, the homeowner is still unable to predict their annual site fee increase in the future.
- **Removal of Special Costs Raising Rents Section 71** – Park Owners own the land, infrastructure, and communal facilities. Homeowners rent the land on which their home sits and have the use of the communal facilities. The Park Owner's business model which has between a 65% to 85% profit margin, should not require homeowners to contribute to maintenance and running costs for the land, infrastructure or communal facilities.
- **Utility Service & Access Fees** - Why are park owners including infrastructure charges (Service and Access fees) in Utility accounts? **Section 99A** needs to be clarified because as renters, recognised for the purposes of rent assistance, homeowners should only be paying for usage.
- **Exit Fees** – ***“Amend the Act to resolve ambiguity around charging retirement village style exit fees and clarify that such fees are prohibited under the Act”*** as proposed by government in the C-RIS. However, it became a ***“Non-legislative response”*** as although it was supported by home owners it was NOT supported by industry representatives. Does this mean they are proposing to introduce them?
- **Industry Viability** - Why does the MHRP Act seek to ensure the viability of the park owners and only to protect the homeowners, as they need to be viable too? If this model becomes unsustainable for homeowners, then there will be no industry. This industry is now developing in a different direction from what was originally an “affordable” housing model, with some Resort parks now offering homes priced over one million dollars.

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