



A.B.N. 28 385 962 456
Incorporation No IA4584501
P.O. Box 349 Burpengary 4505



NEWSLETTER© Copyrighted 2022

This newsletter and content as set out below are in this format for members of AMHO only. It is not to be distributed, copied, or cited either partly or in whole without the permission of the AMHO President.

Supporting Home Owners With Government

AMHO Newsletter No. 2 – April – June 2022

Check out our website <https://amho.com.au>



OFFICIAL LAUNCH OF AMHO

On the 30th of March 2022, our official launch was held at Green Wattle Burpengary residential park, and what a resounding success. With 92+ residents attending, six of our team were also able to attend. Speeches were given as usual, by Brad, Carol, and Rhonda, and many questions were asked and answered about AMHO and the work we are doing with Government, and the many issues that you face in these parks. It was unfortunate that due to it being a sitting week in Parliament that two of our support MP's Stephen Bennett and Dr Amy MacMahon were not able to attend the launch, and also the Local MP Chris Whiting.

We would whole heartedly like to thank Betty, Ray and the Home Owners Committee, and the homeowners at Green Wattle for their support. A very big thank you to those persons who put on a wonderful afternoon tea for everyone.

Both MPs supplied us with a document to read out on their behalf, which are set out below for your information.

Supporting Home Owners with the Government

AMHO Keynote Speech

Stephen Bennett MP | LNP Member for Burnett

It's no secret that there is a gross imbalance of power between Manufactured Home village owners and the home owners.

Without addressing this imbalance, the disadvantages that exist will only accelerate to the point where we may not be able to resolve the situation in the future.

That's why it's vital we take action today to ensure those living in residential parks are treated fairly and with respect.

The manufactured homes industry has made a huge progression from the time when residential parks consisted of converted caravans or prefabricated homes, and when the original Manufactured Homes Act was proclaimed.

At that time the focus was on ensuring old parks remained viable, a far cry from the current situation.

Today the industry is populated by many large corporations, who still benefit from the support offered in the Act.

This is often at the expense of the home owners, whose demographic is in reality, elderly and mostly pensioners or self-funded retirees with limited funds. A naturally more vulnerable segment of society.

We know that the Act has not kept up with the shift in the balance of power the supplier now has over the consumer.

This is to the severe detriment of the home owners and the community at large, many of whom are looking for alternate accommodation in their twilight years.

It is therefore essential that the act is amended 'from the ground up' to ensure equity and fairness is achieved.

Supporting Home Owners with the Government

That's why I want to hear from you. Its important proposed amendments come from the people who are living this reality.

For starters we need to outline and provide solutions to major issues within the current Manufactured Homes Act to ensure fairness is restored for the Home Owners covered by the Act.

We also need the legislation to reinforce the provisions of the Act “to **protect** Home Owners from unfair business practices”.

And finally, we need to offer specific areas where amendments to the Act are necessary to address its deficiencies, inequities, and anomalies. We need transparency, clear definitions, and fairness.

It's time to recalibrate the power imbalance in Queensland's Manufactured Homes and I believe that together, we can make it happen.

30th March 2022

Dr Amy MacMahon
Member for South Brisbane Greens

Firstly, I'm so sorry that I wasn't able to make it out to Burpengary today. For those of you that don't know me, I'm Amy MacMahon the Greens Member for South Brisbane.

I'm in awe of all the incredible work that the Alliance of Manufactured Home Owners has done standing up for park residents. My office talks regularly with Carol, Brad and Rhonda, and we're blown away by their unwavering commitment to fighting for a fair go for park residents.

We're in a housing crisis here in Queensland. Over 50,000 Queenslanders are on the social housing waiting list and more than 130,000 Queenslanders consider themselves homeless. People all across Queensland are increasingly struggling to meet their mortgage repayments or their rent. It's critical that Manufactured Homes remain an affordable housing option here in Queensland.

Historically manufactured home parks were typically family owned and run businesses. However, it's becoming increasingly common for big corporations and

Supporting Home Owners with the Government

property developers, like Hometown and Stockland, to invest in manufactured home parks in Queensland.

The Manufactured Homes Act does little to balance this inherently unequal relationship between wealthy corporations who own the parks, and the retirees and pensioners who live in them. This legislation allows for many different ways Park Owners can jack up the rent and leaves residents with little ways to challenge unfair rent hikes.

It's well past time that Queensland Labor pursued proper reforms to this Act. Real reform should put the power back in the hands of residents, ban market rent reviews and ban CPI rent increases. Real reform would tie site rents to changes in the pension – why should your rent be allowed to be hiked up when the pension remains stagnant.

It's almost criminal that in the federal budget yesterday the LNP only committed to raising aged pensions by a mere \$20 a fortnight – which won't even cover the additional cost of petrol at the moment for many. My federal colleagues in the Greens are fighting for a \$250 a fortnight raise to the aged pension.

These reforms to the Manufactured Homes Act is what I'll be fighting for in parliament. I've already raised these issues in a speech and in a question time question. While they're no manufactured home parks in my electorate of South Brisbane, I'm passionate about ensuring every Queenslanders has an affordable and secure roof over their head. Reforming the Manufactured Homes Act is a key part of fixing the housing crisis here in Queensland.

30th March 2022



Your team Bruce, Graeme, Keren, Rhonda, Carol and Brad. Fred and Richard on leave.



Financial assistance

Eligible people can apply for the following commonwealth/state jointly funded financial assistance grants:

- [Emergency Hardship Assistance Grant](#)
- [Essential Services Hardship Assistance Grant](#)
- [Essential Household Contents Grant**](#)
- [Structural Assistance Grant**](#)
- [Essential Services Safety and Reconnection Grant**](#)

**eligibility criteria applies

More info here: <https://www.qld.gov.au/community/disasters-emergencies/disasters/money-finance/eligibility-apply/seq-flooding-february-2022>

Where our initial team started. Carol, Brad, Fred and Richard

American owners of Queensland resorts accused of coercing pensioners

Supporting Home Owners with the Government

By Shannon Marshall McCormack • Reporter

9:07pm Sep 16, 2020

American owners of lifestyle resorts across Queensland are under fire, accused of coercing pensioners into accepting increased rents. [Hometown Australia](#) bought the manufactured lifestyle villages across South East Queensland two years ago. Since then, residents claim they've seen facilities and staff stripped, while rents continue to rise. Hometown Australia has been accused of coercing pensioners. (9News)

Carol Fitzpatrick, who lives at Ironbark Aspley, was sent a so-called "goodwill offer" putting her rent up from \$324 a fortnight to \$370. "If I was good girl and didn't complain about it and just signed up to it, I could go up to \$350 a fortnight, so I would be saving \$20," Ms Fitzpatrick told 9News.



Hometown Australia has been accused of coercing pensioners. (9News)

Ms Fitzpatrick refused to sign the letter and is now paying the full \$370 a week, while she disputes her rental increase with Hometown. "An extra \$1200 a year that I had to find from my pension," she said.

Raising the rent annually is legal under the [Manufactured Homes Act](#) — once a year in line with CPI, and every three years under a market rent review. But owners can take up a goodwill offer, a discounted increase, as long as they don't dispute the rent rise.

Supporting Home Owners with the Government



Another Ironbark Aspley resident, Brad Goodwin, saw his rent rise by \$39 to \$370 a fortnight.

"I found that it was excessive given that we're on a construction site, and the reduction of services that we've received since Hometown took over from Gateway," Mr Goodwin said.

"I was quite appalled by it and didn't really want to sign. I felt the letter itself was coercive, intimidating and threatening."

Lawyer and former [Queensland Law Society](#) president Bill Potts agrees. "What we're seeing is coercive behaviour," he said. "The coercive power of raising rents in this particular case is causing a significant injustice well above the Consumer Price Index and well above their capacity to pay."

Hometown Australia says their goodwill offer "does not undermine or remove home owner's rights" to dispute the increase. But 55 residents at Aspley disagree and intend to take Hometown to the Queensland Civil and Administration Tribunal over it if the parties can't come to an agreement.

"The goodwill offer seems only to benefit the people asking for the money," says Mr Potts.

At Red Gum Coombabah, another Hometown Australia village, 104 residents have taken Hometown Australia to the tribunal over the rental increases, claiming they're excessive and unjustified.

Beryl Knapp saw her rent rise by \$60 a fortnight. "I didn't sign the form because I was so disgusted," she said.

Supporting Home Owners with the Government

Residents there claim facilities aren't being maintained.

"The bowls green is inoperative," resident Richard Homans told 9News.

"Twelve months without a major facility and we're still paying for it, no reduction in site rent."

Other residents like Fred Maddren claim staff have been slashed. "We used to have two and a half gardeners, now we have one. And he hasn't got a hope of keeping up with everything," Mr Maddren said.

Hometown disputes this, saying they've spent about \$500,000 on improvements to the park and that staff have increased at Coombabah and Aspley.

Residents at Ironbark Aspley also claim Hometown management isn't fulfilling its operational responsibilities, after a community bus owned by Hometown but driven by volunteers to get residents around was left unregistered and uninsured for more than 90 days. "They were driving around on that bus for three months without any registration on it, until they were pulled up by a police officer," Carol Fitzpatrick said. "When we spoke to the manager, he told us it was none of our business and that it had just fallen through the cracks."

Some residents are so angered by the rental increases they've refused to pay the extra charges by cancelling their direct debit. They're risking eviction while they wait for the rent dispute to be fought out in the tribunal. The Department of Housing has told residents the goodwill offer "does not amount to coercion" but that "it is an inducement".

In a statement to 9News, Hometown Australia managing director Stuart Strong said: "The goodwill offers give the home owner and the park owner an opportunity to reach a fairer outcome. "That the lower amount was offered to the home owner as an alternative to a potential lengthy legal process and is a well-balanced approach to the issue."

See the full article and video on this link, click or copy and paste to see <https://www.9news.com.au/national/hometown-australia-resort-owners-queensland-accused-of-coercing-pensioners/15b4a884-fcad-4d83-ad25-0167cb1bb22f>

Supporting Home Owners with the Government



MY CASE WITH QCAT OVER A SEWERAGE CHARGE

We moved in to a Gateway Way Lifestyle Village and when we received our first Utilities Account we found out be neighbours that we had been over charged for Water. When I bought it up with manager I was told that part of the Water Charge was for Sewerage.

After being here for while I was told by the HOC chairman that the Sewerage charge was illegal, and I should download the Manufactured Homes Act. After reading the Act we saw that Sewerage could not be charged as it could not be measured or metered.

I approached the manager and was told that anyone who moved in to the Village after December 2006 are being charged for Sewerage. I told him it was illegal as you cannot measure or meter Sewerage. He told me that it was part of the Gold Coast City Water Bill and the way they charged for water that QLD Regulatory Services approved Gateway Lifestyle could charge for Sewerage

I contacted Caxton Legal and was told that the Sewerage could be charged. I was also told by A.R.P.Q. that they could charge for Sewerage. After reading the Manufactured Homes Act 2003 I decided not to take the advice from the different parties and lodged a Form 6 which is now a (Form 11) with the Queensland Administration and Tribunal as I was sure that I was right that under the ACT as there was no way of Sewerage to be measured or metered or should not be charged. I wanted all money paid for Sewerage to be refunded.

I received the notice with a date for mediation at QCAT. At the compulsory conference we could not come to an agreement. As I was leaving the room I was asked by the mediator why was I putting myself through so much stress and if I was not happy living their then why don't I sell up and move out. My reply was that I enjoyed the challenge.

Supporting Home Owners with the Government

Gateway started to charge all residents for Sewerage on 1st of April 2018. The HOC lodged a Form 11 to have the Sewerage charge removed and money to be refunded. After several phone conferences with QCAT both parties agreed to arbitration with a QCAT Member. On the 6/9/2019 at arbitration Gateway was told that our site agreement included Sewerage and the site is where our house sits not where the water comes into the complex and also Sewerage could not be measured or metered. Gateway agreed to remove the sewerage component from the water utility charge starting from the 1/10/19.

Gateway still kept charging for Sewerage to residents who did not sign their deed of variation agreement which said that they agreed that Sewerage was not part of the site fees that they paid. Hometown continued to charge for Sewerage until March 2020 after Richard Homans wrote to the C.E.O. of Hometown accusing him of stealing. Within 5 days of his letter the office was told to stop charging for Sewerage.

The residents who never paid for Sewerage had the overdue amount on their account refunded. I lodged a Form 11 to QCAT to have all my money paid for Sewerage to be refunded and received the advice that they could not see any reason why I should proceed with my case. After several Phone conferences with QCAT we both agreed to an on papers hearing. In February 2022 QCAT advised both parties that Hometown had to refund all my money paid for Sewerage.

On the 17th of February 2022 Hometown refunded me for all Sewerage that we had been charged.

Dispute Process & Queensland Civil Administrative Tribunal Case Study Experience

Case Study 1. Redgum Coombabah

In 2018 at Coombabah Gateway village, numerous amenities were taken away from homeowners, non-functioning and closed without notification, access restricted or facilities reduced. Manufactured Home Breach notices were sent to the area manager in accordance with the ACT, but no replies were received. There were verbal confrontations with the park management with unempathetic dismissive replies, "It's none of your business, go away."

Supporting Home Owners with the Government

As a result, in **July** 2018, we downloaded the current issue of the Manufactured Homes Residential Parks Act 2003, current from September 1, 2017. Approaches and formal processes were conducted through the Southport Magistrates Court regarding the dispute with the Park Owner over the issues being experienced.

Direction at the time was to fill out a Form 30 and as pensioners, a fee waiver form and write down the details of the dispute on plain paper, with the appropriate number of copies, which were forwarded to QCAT. This was finally completed in **Jan.** 2019. A reduction of rent was requested.

https://www.qcat.qld.gov.au/_data/assets/pdf_file/0014/101093/form-49-app-for-waiver-of-fees.pdf

A case number was issued by QCAT and eventually summoned to appear with the park owner before a senior QCAT member.

Two (2) Direction's hearings occurred and eventually a compulsory conference was held at QCAT in October 2019 before a sitting member, where negotiations were held, but no result was achieved. The QCAT member stated as a result and by agreement of both parties, that a final hearing would occur as a case on papers, that evidence and submissions should be submitted by January 2020.

A further direction hearing confirmed this and was complied with. In October 2020, another QCAT member made a direction regarding certain issues in our submission, and this was complied with.

Having complied, a further direction was made that the case would again continue as a case on papers. January **2022** a direction was given by another QCAT member asking that proof was to be submitted of the negotiation and mediation outcomes at the start of the dispute, complying with Sect. 108 and 116 of the MHRP Act 2003.

This led to some confusion and miscommunication by QCAT that after three (3) years, these points were being raised without any mention of the actual dispute issues. The fact that the 2017 amended Act did not contain Sect. 108 or 116, a letter was sent to the member outlining these issues and the previous directions given by a previous senior member from the outset, and a further intervening direction by yet another member.

After three (3) years wait involving physical and emotional effort and QCAT preparation of our case, time and expense, a letter was received from QCAT announcing the case had been dismissed. Further proving the dysfunctionality within QCAT and that there is no consistency between QCAT sitting members decisions.

The reason given by the QCAT Member was that we had failed to comply with the Act, which was in fact amended from **October 31st** of 2018, now including Sect. 108 & 116 which brought about the Form 11 dispute process, and we were not diligent enough to check the new amended issue of the Act.

The inconsistency and lack of due diligence by QCAT not acknowledging or informing us of these issues as the applicants until the end of three (3) years is an appalling lack of legal due process.

It is extremely strange because since having gone to QCAT on a separate issue, having followed the Form 11 process, then negotiation, followed by mediation, where no result was obtained or resolved, this was the end of our dispute application.

We were informed, you will receive a letter of “no resolution obtained” from the mediator. Then if you wish to continue your case to a hearing, you must start again and make a new application which **must** have your letter proving “no resolution obtained” at mediation attached.

Strange that the earlier case, which was dismissed because of the change to the Act after our decision to dispute but before the application was submitted, yet no request or enquiry was made of us as to the whereabouts of the “no resolution obtained” letter from mediation throughout the 3 years.

Case Study 2 Redgum Coombabah

In 2020, a dispute for a rent reduction at the same village now operated by Hometown over the non-operational bowls green commenced with a form 11.

The park manager failed to negotiate with the Homeowners Committee (HOC) member stating that she was talking to the bowls club. The HOC member was representing homeowners who **all** pay for the communal facility in their site fees.

Supporting Home Owners with the Government

As a result, an application was made to QCAT for mediation, the original Form 11 on page 4 contained the details of the many co-applicants, names, site numbers, phone, and email if available. The application was successful, a case number was issued.

After some discussions at mediation, the mediator stated that the lead applicant could negotiate with the park owner over the bowls green dispute of which some success may be had, but he could not represent the co-applicants listed on page 4 of the form 11.

The reason that was given, was that there were no signatures of the co-applicants on the form 11, only that of the lead applicant on page 2.

The lead applicant then produced a copy of the form 11 and asked the mediator to show where on page 4 or any part of the form 11 where it stated or had a section for co-applicants' signatures. There is none.

The mediator agreed and stated that the QCAT "forms department" was reviewing forms, however the **QCAT** Act requires any person involved in an application to sign.

The lead applicant was told by the mediator, which is how it is, he could continue to negotiate on his behalf but would not be representing anybody else. As far as QCAT was concerned, the many co-applicants did not exist in this case. A further lack of due diligence by QCAT showing that the system itself is broken.

Therefore, in absolute dismay, the lead applicant asked for the application to be withdrawn.

He was not going to continue with the possibility of a rent reduction for himself only to tell co-applicants they had failed.

This must be a Warning and applicants made aware, that Form 11 has not changed, there is no section for co-applicants' signatures, so any joint action, make sure **all** applicants signatures are added to their details on page 4.



Public Trustee

Supporting Home Owners with the Government

State Control: Australians trapped, stripped of assets and silenced

“It could happen to you, it could happen to me, it can happen to anybody. I’ve seen it.” Advocate, Tasmania

A Four Corners investigation revealed the stories of Australians who say they’ve been virtually abducted by the state, stripped of their assets and stopped from speaking out, until now.

“They can use your personal funds, your life savings, to fight you, to keep you entrapped in this system.” Advocate, Victoria

Some 50,000 Australians are currently under the control of Public Guardian and Trustee agencies around the country. By law, these ‘clients’ are banned from speaking out about what happens to them, and journalists can be fined or jailed for reporting on them. Four Corners went to court to fight for the right to have their voices heard.

“They are evil. They’re terrible. They are heartless. They are thoughtless. And they’re just money-hungry users.” Former Queensland Trustee ‘client’

Four Corners has uncovered astonishing cases where individuals say they are being held against their will and prevented from living in their own homes.

“I don’t like being effectively locked up. I want to live in the real world where I can do the things that I have done, and would do, and will do, I’m very lonely here for that reason. I don’t have anybody to talk to.” Trustee and Guardian ‘client’

And despite the Public Trustees’ express aim being to protect the health and finances of their ‘clients’, the investigation will reveal startling cases of financial mismanagement and fee gouging by these agencies around the country.

“The Public Trustee are the biggest perpetrators of financial abuse of elders. And this is actually legal, and this is part of the system. So, this to me is state sanctioned elder abuse.” Advocate, Queensland

This investigation, more than a year in the making, will expose how the system, designed to protect the vulnerable, does the very opposite.

“They’re a law unto themselves, they’re a power unto themselves. There needs to be some oversight into how their decisions are being made.” Daughter of a Public Trustee ‘client’, Western Australia

State Control, reported by Anne Connolly, went to air on Monday 14th March at 8.30pm. It is replayed on [ABC iview](#) and at abc.net.au/4corners.

Supporting Home Owners with the Government



Fees for this financial year, (1/4/2022 to 31/3/2023) have been set at \$20.00 per couple pa. and for single membership \$10 pa per person for all for new members. New membership is now available pro rata for the membership year, being from 1st October to 31st March each year at \$5.00. Home Owner Committee membership is \$30.00 per annum.

Details of how to pay your fees are :

Please make Cheque/Money Order payable to: ***Alliance of Manufactured Home Owners Inc. PO Box 349 Burpengary 4505***

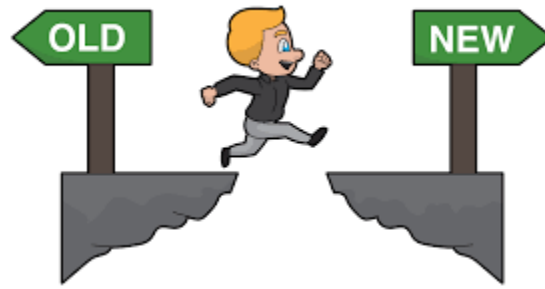
Please notify OR email Direct Deposit Form to the Secretary on amhosecretary1@gmail.com

Or Direct Deposits via the internet or at your personal bank to:

Bank *BSB No. 064448 Account No 10401698 Commonwealth Bank* ***Please state your name on transaction.*** Any enquires regarding payments please contact the Secretary or Treasurer on the email state below.

Supporting Home Owners with the Government

Have you changed your details.



Please remember to let us know so we may update our database

If you are a AMHO Member you may obtain unlimited advice or assistance. We do advise that we cannot give legal or financial advice as we are not qualified to do so, and this would infringe on our Liability Insurance. We can support you through any of these matters and work with you and / or your agent on any matters that fall in this area, with information.

If you do want to raise an issue or give feedback, please write, setting out your name and the name of your Residential Park, as well as details of the problem you wish to have addressed, or the feedback or information you want. For swiftest response (within 48 hours) please email requests to: amhoadvice@gmail.com or send it via our new website. <https://amho.com.au>

Alternatively, write to: Advisor P.O. Box 349 Burpengary 4505

We would like to hear from our members or any person, if they have any constructive information or ideas that would assist in promoting AMHO and the work we are doing. Also to assist us in the advancement of the work we are doing with Government, to enable us to continue to support your interests and your rights, and be your voice and advocate.

This newsletter and content is under copyright conditions and is not to be distributed, copied, or cited either partly or in whole without the permission of the author Rhonda Cooper or AMHO.

Supporting Home Owners with the Government



YOUR MANAGEMENT TEAM

President: Rhonda Cooper – Member support, advice and assisting in all member queries, park visits, website, newsletters, attending Government meetings and Consultations, participating in Government working groups, liaising with Government, MP's and outside organisations.

Contact: 0418368567 amhoadvice@gmail.com or amhocontact@gmail.com

Treasurer: Graham Parr - Treasurer on his Parks HOC, former CPA with many years' experience in many areas of finance. Responsible for AMHO bank account, finance matters, and financial documents

Contact: amhotreasurer22@gmail.com

Government Advisor: Brad Goodwin – E-petition, Liaising with MPs, and government departments, organising meetings with Government and their representatives

Government Advisor: Carol Fitzpatrick - E-petition, Liaising with MP's and government departments, Park Visits, Compiling documents for government consideration.

Committee Members: Richard Homans

Bruce Hill-Webber

Fred Maddren

Bringing knowledge, experience, and history of working for homeowners in their own parks and with government bodies

Supporting Home Owners with the Government