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Supporting Home Owners With Government AMHO Newsletter No. 3 – July – September 2022

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



On the 15th of June 2022 the second Stakeholders meeting was held in respect of the Issues Paper and Survey compiled by the department of Communities, Housing and Digital Economy. Other outside persons and organisations that are involved in these meetings as stakeholders are:

- Ms Kirstine Harvie, Acting General Manager, Strategic Policy and Legislation
- Mr Damian Sammon, Acting Executive Director, Strategic Policy and Legislation
- Ms Jen Williams, Queensland Executive Director, Property Council of Australia
- Mr Martin Zaltron, Manager of Policy, Urban Development Institute of Australia Queensland
- Ms Michelle Weston, General Manager, Caravan Parks Association of Queensland
- Mr David Kennedy, Vice President, Associated Residential Parks Queensland
- Dr Brooke Thompson, Policy Solicitor, Queensland Law Society
- Mr David Wise, Elder Law Committee, Queensland Law Society
- Mr John Stalker, Policy Coordinator, COTA Queensland
- Urban Development Institute of Australia
- National Seniors Australia

We know that our meetings with the Ministers of Parliament and at 1 William Street Brisbane, that this interaction that MP's are now openly supporting AMHO and our work and have had dialogue with the Minister for CHDE Ms Leanne Enoch. They have also raised Questions on Notice in Parliament to push the Housing Minister Leanne Enoch to make changes in the Act that we are pushing for and will continue to do. We will not just accept anything other than the issues we have raised are implemented in this Act and it sits in Parliament, is approved to be changed and amended and passed via Royal Assent by the Queensland Governor as all homeowners require to ensure their future rights.

Unfortunately, this Issue Paper and the Survey as we also stated at this meeting once again falls short on addressing the main concerns that we have constantly raised at these meetings, and we will continue to advocate for ALL amendments we have informed them about. This is just the start.

We urge you to read this issues paper and to complete the survey, the email from CHDE is set out below with the link. You must raise your concerns, and the problems you have faced and give them reason to listen to what matters we are raising for changes in the current Act and its amendments. You can now have a say so use you voice and make them listen, this will affect your financial future and the viability of these parks, so you now have the chance to use your power and rights **so do it.**

The issues paper and survey can be accessed by this link, or you can contact AMHO, or your local MP and get a paper copy. Take this back to your local MP to forward to MH Consult at Level 23, Mineral House, 41 George Street, Brisbane Qld 4000.

The issues paper and the survey can be accessed at: <https://www.chde.qld.gov.au/about/initiatives/residential-parks-improvements>.

SPEAK UP, BE HEARD,
IF YOU DON'T SAY A WORD, EVERYTHING WILL STAY THE SAME WAY

FLAIREY

WELCOME TO OUR NEW VICE PRESIDENT

We are pleased to announce the appointment to our management committee of Roseann Whyte who was the former Secretary of Living Gems Caboolture Home Owners Committee. We are very excited and grateful that Roseann has accepted our offer as we have worked on other matters with her through her role with her HOC and were impressed with her professionalism and knowledge. We know that Roseann will be an asset to our committee and a very much needed assistant to the President whose work load has increased significantly with the operational aspects of AMHO and particularly with work with Government agencies and people and assist the committee in our continuing work for the homeowners and their rights.



Deceased Estates

EDUCATE YOUR FAMILY MEMBERS

We are often asked about what the procedure is when the owner of a park home passes away and leaves the home in the estate to their family.

If the property is left to more than one person then normally the home will have to be sold in order for the estate to be dealt with. This can either be by private agent or the agent for the park, or both. Often getting the park agents to work with private agents and allow them entry or to bring buyers in can be a problem and hence the family need to know they can do this, but it may complicate things more, hence many just abide by the park agent's advice. This is not always the right advice. Just make sure your family are aware these are business people not your friends.

In the Act and in your site agreement there is a formula of which the park agent must use. There are many details in this Act which lay out the legal points to the park owners about what is acceptable and the right process for the sale of the home in the park, make sure your family are aware of these.

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Ensure you get an outside valuation of the home, as the park agent may try to buy it at a lower price as they know most people want to have this settled as soon as possible.

If there is one person that is the beneficiary and they want to take the home over and live in it, then they will have to sign a new site agreement but make them aware that the site fee will probably be higher. You cannot assign the original site agreement as the person is not there to sign the appropriate forms to have this facilitated. The new site rent does not have to be paid until that person takes over the ownership and residence of the property or signs the contract.

As long as this person meets the park requirements, one such requirement may be being over 50, which many parks cannot enforce unless they have applied to QCAT to have this included in their original formation. Also remind them about a pet policy that may apply.

We advise that all those who live in a manufactured home, give a copy of their contract paperwork such as the site agreement, and also the contact information for AMHO to their family members. They do not have to join to contact us if they are confused about the process and the procedures which differ from a what most are used to in the private sector.

Many family members will struggle with the complexity of understanding the rules and the Act guidelines that are applicable to your home. But this will give them time to read and learn about it earlier rather than later.

They need to be made aware of the way that many of these parks operate and how to deal with the park owners and their agents. You will save them a lot of time and money if they are knowledgeable about what to expect and know what the procedures are.

We cannot give legal advice at AMHO, but we can guide, support and advise on how to handle these matters to lessen the concern and issues for you and your family, hence this article. Also, our website has a copy of these forms and selling information and a copy of a site agreement Form 1.

PAYING YOUR SITE FEES

At many of our park visits we have had concerns raised about how site fees are to be paid. As the Act states and so should your site Agreement you can pay:

- (4) Site rent is paid in an **approved** way if it is paid in any of the following ways:
(a) cash;

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- (b) cheque;
- (c) deposit to a financial institution account nominated by the park owner under the agreement;
- (d) credit card;
- (e) an EFTPOS system;
- (f) deduction from pay, or a pension or other benefit, payable to the home owner;
- (g) another way agreed on by the park owner and home owner.

We are hearing more often that prospective buyers are being told that they have to pay by direct debit only. This is not only a contravention of the Act and illegal it is also a way for the park owners to have access to your finances.

If you have been paying by direct debit and are not comfortable with doing so or have had issues with the park owners taking funds they were not entitled to, then we advise to have your site fee payments changed to a direct credit.

As long as you pay on the same date and same amount as you have agreed there is nothing that the park owners can do about it. We advise you to keep control of your own finances and also in any dispute have that control, not them. You only have to attend your bank and they will assist you in organising this matter, then all you have to do is notify the park owners / manager in writing that you have changed it to a direct credit. Do not be intimidated.

They cannot enforce making a payment by direct debit even if in your site agreement, as many people did not know they could object to paying it that way and push to have it done by the manner they were comfortable with. Many are too scared to do this at the purchasing stage due to wanting to buy the property and not wanting to rock the boat, but you have rights, and you need to use them. Some homeowners have been overcharged or had other funds taken out of their accounts without permission, and then you have to fight to get it back.

Also when there is a dispute over the site fee increases, they cannot increase them while in dispute if you have the control over the account which is what has happened in the past and we are advocating for that not to be able to be implemented. Just because you agreed at the start to pay that way does not mean you cannot change it, they do this as easier for them and so they have that control over your finances. Would you let anyone else do that before your moved into a residential park? These are only small things that affect your power to control your own finances and allow these park owners to rule your life, you have the rights so:



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Selling your homes

On our website you will note at the bottom of the homepage a logo and link to a property selling service. Though we do not act as an agent for this business we have had experience with dealing with them, below is the matter we dealt with.

I was contacted by Claire and Malcolm in January 2022 from Bohle Plains near Townsville who were having issues with their park manager and selling their home. Their dealings with the park managers was difficult and not pleasant and they were not being informed of the correct way to go about selling their home and their rights.

This had been going on for a few months and being in their 70's and 80's and no computer or internet facility they were seeking advice on how to go about selling their home and what was required, which was being sold for \$235,000 as this was an older, smaller park with no real amenities and part tourist park.

I was able through many phone calls and text messages to inform them of the right way to go about selling and what their rights were and the process in dealing with the park manager. They had engaged a private agent who though was helpful was not able to sell the home and the park manager was obstructive in many ways.

AMHO sent a letter to the manager to explain the correct process and also that they were in breach of the Act with their actions. So, I looked into other ways to try to assist them to sell their home given the distance from me and their lack of technology availability.

I had used and recommended previously the business of Sell My Property Now, and I had researched this area for other homeowners. For \$349 you can get a package to enable you to sell the home yourself.

They provide support and guidance, and the ads go on Real Estate.com and Domain just as other agents use, and there are several packages to choose from depending on what you want. Claire and Malcolm had photos from the agent and put up a for sale sign in their window, as the first steps.

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They paid the fee and I set up the ad on the system with the photos and description and it was very easy to do and allowed you to go in and change it or update at anytime you liked.

In April, the ad went live, and within a week of it going on the sites, there were enquiries which came in on my email as they did not have one, and I would then send a text message to Claire with the name and phone number so they could arrange a viewing etc.

There were about seven enquiries, and it was sold within two months, and two more prospective buyers waiting in the wings if that sale fell through.

Comments from Malcolm and Claire were by text: "We recently sold our house with the assistance of Rhonda from AMHO, who did all the set up for us as we do not have a computer and did not understand all that was required. There were no issues, and the process was easy when it came to dealing with prospective buyers. It took less than two months to sell and not having to deal with the park management was another bonus.

It is no different to selling privately and we appreciate all the support we received and for \$10 membership would recommend others continue to support AMHO as they went well above what you would expect from an association. I got nothing from the other associations I contacted. Their support, assistance and information made things so much easier, and we can now move on. Thank you Rhonda for all your hard work and support" Claire and Malcolm Pearce.

Claire and Malcolm are now settled in their new unit in Townsville and are so happy that all that is over with, and they can move forward in their lives. So, if you want to sell your home please look into this option, AMHO get nothing for this service and we do not take any responsibility for the actions of this business, we can only support homeowners and show what the options are and can advise how to achieve them. So, contact me if you want more information.

It is rewarding for me to assist homeowners in all areas not just the usual ones, and many need more than a standard reply to their enquiries and when they have problems. So, contact me anytime. Cheers Rhonda

AMHO MEETINGS

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Brad, Carol and your President continue to meet with members of Parliament to discuss the issues and concerns we are raising on behalf of the 45,000 plus people that live in residential parks.

We are receiving a lot of support, advice, interest and many who are happy to work with us and to assist in our endeavours for change to the present legislation and we will continue our work until there is something done by those who are in the position to make those much needed changes and protect your rights. So far we have met with and will continue to meet with as many as possible to educate them on this housing sector:

Hon Craig Crawford MP	Brent Mickelburg MP	Robert Skelton MP
Ali King MP	Bart Mellish MP	Corinne McMillan MP
Sam O'Connor MP	Trevor Watts MP	Chris Whiting MP
Shane King MP	Aaron Harper	Don Brown MP
Dan Purdie MP	Jim Mc Donald MP	Lance McCallum MP
Cindy Lui MP	James Lister MP	Joan Pease MP
Linus Power MP	Andrew Powell MP	David Janetzki MP
Amy MacMahon MP	Steve Andrews MP	Trevor Watts MP
Robbie Katter MP	Mark Ryan MP	Stephen Bennett MP
Shane Knuth MP	Jason Hunt MP	Jennifer Howard MP

We also met with Don Wilson, Acting Chief of Staff for Communities and Housing and Digital Economy (CHDE) along with Damian Sammon A/Executive Director Strategic Policy and Legislation Housing and Homelessness Services (CHDE) and Kirstine Harvie Acting General Manager, Strategic Policy and Legislation (CHDE). A meeting with Kate Whittle the new policy officer for Ms

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Enoch was also very productive. We need their support to get these changes through with a private members bill in Parliament. This process is slow, but we will ensure it will be steady and have a positive outcome for you all.

The last amendments in 2017 took three years and we hope to get an amendment in place in the shorter term, being to abolish the present CPI All Groups Brisbane formula of which rents should not sit under, and also deal with the other issues of Market Reviews, Special Costs, Selling, Assignment of Site Agreements, Dispute Resolution, installation of an independent Ombudsman to take over from QCAT and any other matters we deem are unfair in this Act to the homeowners and do not ensure their rights into the future.

The President of AMHO is also meeting with other organisations both in Qld and other states and outside of Australia.

Your President recently held a two hour meeting with Jamie Brown from Hometown Australia to address issues that had been raised by homeowners and others matters of interest in the operations of this organisations which now has 17 parks in Qld and 54 in Australia. It was very informative, and I was invited and then attended a second conference of the Managers of Hometown in Chermside on the 15th of July 2022. This strengthens our professional relationship and allows us to work with these persons on your behalf when issues are raised by you if you live in a Hometown Community.

A meeting with Penny Carr who is the CEO of Tenants Queensland in respect of how our two organisations can support each other in issues affecting those that live in residential parks, and now there are some parks that are renting out manufactured homes.

There are also parks where people are living in a residential park and own the homes and have a lease and not a site agreement, which AMHO is now further investigating if this is a way that park owners are lessening the rights of these homeowners in respect of the Act.

Four park presentations at Solana Lifestyle Resort on Bribie Island. Pacific Palms Burpengary, and Burpengary Pines as well as the one at Living Gems Caboolture which have been all very successful and very good meetings with the residents. So please contact us if your park would like us to visit. We have two more park visits lined up in the next three weeks.

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A meeting was held with representatives from Retirement Accommodation Action Group (RAAG) who though based in Victoria are supporting those who live in manufactured home as park of Housing for the Aged Action Group (HAAG). We are interested in their work to have legislation produced as an Act as presently in Victoria there is no Act for those living in Manufactured Homes and they get only one paragraph in the Tenancies Act of Vic. We will continue to liaise with them, there is a real need for Federal Legislation in this area as all these Acts are different and some states like Victoria have none and these parks are growing in all states.

We were contacted by a person who has formed an alliance group in order to start an AMHO type association in Victoria and also to push for an Act to protect these homeowners and we will continue to support and work with them so they can achieve their goals. This is where RAAG and HAAG came in and who are also working with them to move forward, and they will liaise with us on what actions are necessary and how we can assist them.

Another meeting we organised via video link was with National Manufactured Home Owners America (NMHOA) which is an association in America so we can gauge how their Acts work, though like Australia they are different in each state. They deal a lot with Hometown America who are the owners of Hometown Australia, and they are interested in how we operate as well as our legislation and how it works. There are many interesting facts that have come to our attention in the similarities of USA and Australia, and it is good to get background on issues they have faced and still do that may apply here one day. Hometown Australia now have 17 parks in Qld and 54 in three states in Australia.

We feel that this is worthwhile given that Hometown are taking over so many of the single owned and private residential parks. There have been many issues raised with AMHO on how things have changed with these new owners and how they operate is not in line with the rights of many homeowners.

This is a concern to AMHO for the future as more of these overseas companies invest in this housing sector.

Brad and I attended a meeting with the organisation of Aged and Disability Advocates Qld, (ADA) and three of their representatives in respect of their services and operation in connection with those disabled persons living in

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residential parks and how we can work together to ensure they are being cared for and also are getting the support they need.

Rhonda had another meeting with Scott Green from ADA as the Community Liaison Officer to look at reaching out to those in Manufactured Home Parks that have a disability and promote their work and services, as there is so much ADA can offer. If your park would be interested in having an advocate attend your park for a meeting with residents they are happy to do so, as we tend not to think about those with a disability in these parks.

We all need to know what is available as we may need these services one day. Below is from the ADA website and you can see what they provide and areas they work and advocate in.



When you visit our website you will see this logo showing we are working with this organisation to assist those in need in residential parks in Qld. This is their link.

<https://adaaustralia.com.au/>

Aged and Disability Advocacy Australia (ADA Australia) is a not-for-profit, independent, community based advocacy and education service with 30 years' experience in supporting and improving the well-being of older people and people with disability.

Headquartered in Brisbane we provide advocacy services to older people and people with disability in metropolitan, regional, rural and remote communities across Queensland. Our services are free, confidential and client focused.

ADA Australia offers a range of services in the following areas:

- [Aged Care Advocacy](#)
- [Human Rights Advocacy and Legal Service through ADA Law](#)
- [Disability Advocacy](#)
- [Systemic Advocacy](#)

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- [Education](#)
- [Resources](#)

ADA Law community legal service:

- [Human Rights Legal Support and Advocacy](#)
- [Elder Abuse Advocacy](#)
- [Mental Health Review Tribunal](#)

We will continue to liaise with them and promote their services and also if you have any personal concerns or queries please do not hesitate to contact Brad Goodwin on braddg02@gmail.com who has had a very positive experience with this organisation and can give you inside information if required.

We believe at AMHO it is not all about problems and issues with the Act and the parks but also about you, our members and what your needs may be in your life. Hence we reach out to outside organisations that may be able to assist you now or in the future and do the research for you so you can be aware of what services are out there and what is available for support if and when required.

By doing this we also raise the awareness of this housing sector and the needs of those that live in these parks and who may miss out on news, options and services and hope that we can give you the information and advice that will assist you and also show that we are always working for you.

If you have any queries about our meetings or these organisations please do not hesitate to contact me on amhocontact@gmail.com for a chat.

Media

Check out this article AMHO organised, and we will be raising more media attention as we progress.

https://www.theguardian.com/australia-news/2022/may/03/queenslands-rental-crisis-spreads-to-manufactured-home-parks?CMP=Share_iOSApp_Other

We also did a short promo for channel seven which unfortunately most of it was not included and hence the short segment did not meet the needs we had hoped for in giving attention to the issues we had raised. Also, with ABC radio chat in the near future. We still have other irons in the fire and will continue to push for media attention in this housing sector.

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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 members. New membership is now available pro rata for the membership year, being from 1st October to 31st March 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.

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 Keren or Treasurer Graeme on Email: amhosecretary1@gmail.com or amhotreasurer22@gmail.com



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.

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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. For swiftest response (usually 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 if they have any constructive information or ideas that would assist in promoting AMHO, and also to aid in further advancement of our association to enable us to continue to support your interests and your rights.

Any items that you may think would be of interest to other members or those living in residential parks, or any information or articles you may like to see in your newsletter.

Also please send us anything we can use in our work to raise awareness of the issues in the parks. This may be your experience with QCAT, Caxton, RSU and your park owners and their agents. We need as much evidence of how the system and the Act are not fit for purpose and the more we have the better chance we have to get changes in this Act and in these government departments. An election is looming, now is the time to push them.



YOUR MANAGEMENT TEAM

President: Rhonda Cooper – Member support, advice and assisting in all member queries, park visits, website, newsletters, attending Government meetings, working groups and Consultations, and liaising with Government and applicable outside organisations. General operations person. Phone: 0418368567

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

Vice President: Roseann Whyte – members support, chairing of meetings when President not available. Attending meetings for AMHO, keeping of registers of AMHO, and general operations person.

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

Contact: amhotreasurer22@gmail.com

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

Government Advisor: Carol Fitzpatrick - E-petition, Liaising with MP's and government departments, Park Visits, compiling communications and supporting President. Meetings with MP's and other government persons.

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.

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