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October 2022 – December 2022



The Alliance has continued to meet with Ministers of the Government.

Since our last newsletter we have met with:

Jessica Pugh MP	Dr Christian Rowan MP	Bruce Saunders MP
Charis Mullen MP	Tim Mander MP	Mark Boothman MP
Stirling Hinchcliffe MP	Adrian Tantari MP	Bob Molhoek MP
James Martin MP	Stephen Bennett MP who we meet with regularly	

Alliance was part of two forums for the Issues Paper and Survey:
Ali King MP with Chris Whiting MP at Bribie Island
Rob Skelton MP in Nambour

Alliance attended these park presentations:
Island Breeze and Bribie Pines on Bribie Island

Supporting Home Owners with the Government

Thyme Resort at Morayfield- Living Gems at Caboolture
Ironbark at Aspley- Golden Downs at Fitzgibbon
Claremont Resort at Park Ridge

On the 1st of September 2022 your President Rhonda and Government Advisor Carol met with the Housing Minister Leanne Enoch to discuss issues of concern in residential parks and push for the changes in the present legislation. We were assured that she was aware of these concerns, and we would be moving to having changes made in the next eighteen months with all due process required.

We raised with the Minister and Mr Damian Sammon Director, of Legislation and Reform, Housing and Homelessness Services who also attended the meeting, and is the advisor to the Minister, the particular concern with the CPI All Groups Brisbane formula being used to raise site fees.

We have raised this in writing before but now this face to face enabled us to ensure that she has been informed and is fully aware about the error of this being included in the Act by the Government in 2003. Also, now how this is impacting on the homeowners with high site fee increases and that the government and the housing department are responsible for this financial distress on these residents.

The Alliance asked for a moratorium, or a cap be placed on these increases until the parliamentary committee that will oversee the Act amendments, has made a decision on what changes are required. We will continue to push the Minister for this to be implemented prior to the end of Parliament sitting in November. They created this financial abuse, and they need to address it **NOW**, not next year.

The Alliance made it very clear, and your President stated to the Minister that **we would not accept no legislative change** once the Regulatory Impact Statement was produced as we know that this has been the stance for the past few years. You must raise your voice too with your local MP's.

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

FLATREY

Supporting Home Owners with the Government

26 September 2022

Ms Rhonda Cooper
President
Alliance of Manufactured Home Owners Inc.
AMHOcontact@gmail.com

Queensland
Government

Department of
Communities, Housing
and Digital Economy

Dear Ms Cooper,

Thank you for your emails of 9 and 15 August 2022 to the Honourable Leeanne Enoch MP, Minister for Communities and Housing, Minister for Digital Economy and Minister for the Arts regarding the review of site rent increases and sale of homes in residential parks. Your correspondence has been referred to the Department of Communities, Housing and Digital Economy for attention.

Your correspondence of 31 August 2022 to the Honourable Anastacia Palaszczuk MP, Premier and Minister for the Olympics has also been referred to the department for response.

I appreciate the time and effort you and your colleagues from Alliance of Manufactured Home Owners Inc have put into researching these issues and developing submissions responding to the issues paper, analysing park owner profitability and providing your views on the appropriateness of CPI-based increases in residential parks.

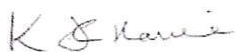
I also want to thank you for the previous submissions you made prior to the publication of the issues paper and for the contributions AMHO has made in helping to publicise and encourage participation in the issues paper and manufactured home owners survey consultation process.

The department has commenced analysing the data collected in the survey and considering the written submissions on the issues paper that have been received. This information will be used to refine government's understanding of these issues and will help to identify and analyse options for improvements for manufactured home owners living in residential parks.

As this work progresses, you will be notified of opportunities to make further contributions to this review process.

If you need further information in relation to this matter, I can be contacted on [REDACTED] by email at [REDACTED].

Yours sincerely

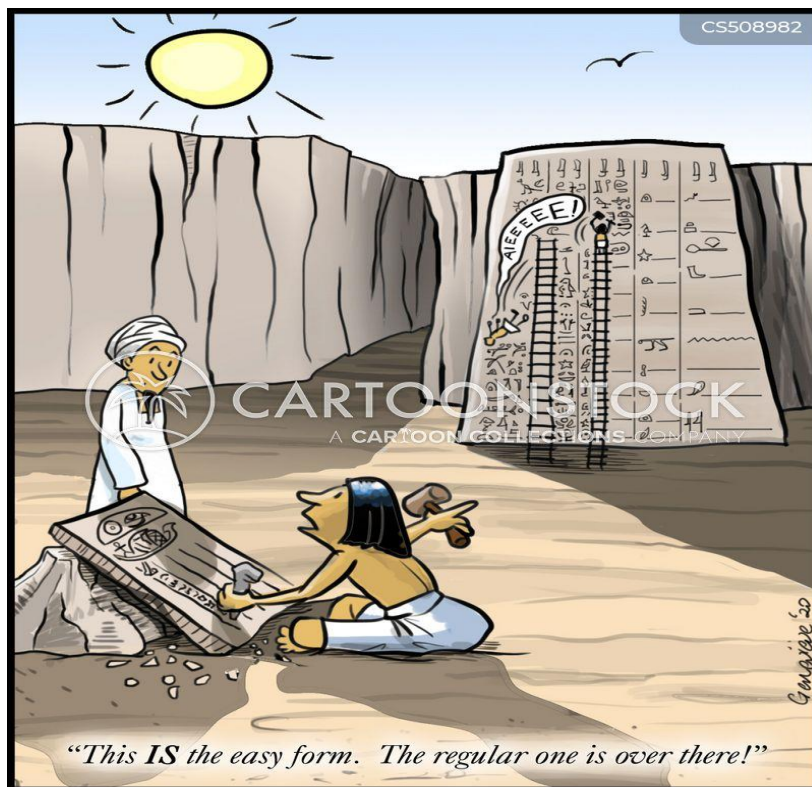


K Harvie
Acting General Manager
Strategic Policy and legislation
Housing and Homelessness Services



Ms Leanne Enoch and your President at meeting on 1st September 2022

Form 11 do not be afraid



[Form 11 - Dispute negotiation notice \(PDF, 170KB\)](#)

Homeowners and park managers use this form to start the dispute negotiation process with another party.

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We all should know that when you have a dispute with the park owner or their agent then you complete a Form 11. But how many of you are daunted by the procedure and unsure of how it all works? Below in the box is the wording on the front page of the Form 11.

WHAT USE IS THE FORM 11?

Don't be frightened to use the Form 11 when you are having difficulties with your park manager or owner as it has been provided to you under the Act. With any problem you start with a complaint in writing, as below -

The MHRP Act states in Part 15,

103 Park owner to respond to complaint or proposal

If a home owners committee for a residential park gives the park owner a notice detailing a complaint or proposal mentioned in section 102(1)(b), the park owner must within 21 days after receiving the notice give the committee a written response addressing the complaint or proposal.

Maximum penalty—20 penalty units.

As you can see there is supposedly a possible penalty, but we all know that this has never been actioned by the appropriate Government Department. If your park agent, manager or owner does not respond at all, or you are unhappy with their response, it's time to use the Form 11 process.

Anyone can use the Form 11 process, as it is a procedure for bringing both parties together to solve a dispute however, it also signals to your park representative or owner that they cannot simply ignore you or send a standard "Not my problem" form letter.

Stage One - Negotiation, which provides both parties the opportunity to meet and attempt to fix the situation, however, if this does not work the next step is Mediation via QCAT.

Stage Two – Mediation, and you must be aware that the QCAT Mediator will not be listening to both sides and making a decision on the evidence presented by each party. Their role is simply to bring both sides together to make a mutually agreeable

satisfactory decision on how to solve the problem. There is a fee for this, but if you are a pensioner, it may be waived.

Stage Three - QCAT Tribunal, once again a fee is requested and unfortunately your case may take years to reach a decision, depending on many variables. Such as whether the QCAT Member actually understands the MHRP Act, the actions of your park owner and the long queue of many using the QCAT Tribunal system.

If co-applicants fill out a form 11 or are listed, on it, that page for co-applicants requires names, site number, phone and, email if available, **but** there is no indicated place for a signature. A signature **must** be included somewhere with those details in order for the application to continue at mediation involving persons listed. We were informed, the signature on the front sheet of form 11, could not represent the other listed co applicants at mediation without their signatures.

Nothing is written in MHRP Act to that effect, but apparently it is a requirement of the QCAT Act.

You can be sure if you get a win, that the park owners will appeal, using all their legal might. We know of one resident who received a 360-page legal document appealing the decision. Some park owners have also refused to accept the final ruling, which means the next step would be the Civil Court.

Not a pretty picture, but this is why AMHO is demanding that all disputes be removed from the QCAT system and put into the hands of an Independent Ombudsman, whose decisions are final. We know that ARPQ also support this as a fairer way forward.

But going back to why you should use the Form 11, we can also report that there is evidence that when HOCs and residents begin resolving the problems this way, they have found there are now less problems with park owners, with most complaints being negotiated at the first step, as they should be. Standing up for ourselves, saying no and using the appropriate system can send a very useful message to those who may not respect us.

From the point of view of the Alliance we believe that more residents should use this form, if you are not receiving replies to your correspondence, or the manager will not

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meet with you over your concerns, any issue you have that is not being addressed or listened too.

Just because you put this Form 11 into the park owner, does not make it an obligation to end up in QCAT, but does put them on notice that you are using what power you have in making them come to the table and explain, give more information, or just to discuss the issues you raise in this form. Check out the website on our document on QCAT processes point by point so you fully understand what will happen if you go that path with our support.

Do not be daunted by it and use AMHO to assist you if needed in filling out forms, writing letters and supporting you in any mediation you are included in. You are not alone, and you have the right to not just be heard but to be treated with dignity and respect. Your voice matters and this is your life, your money, your concern and they should listen to those that keep their business profitable and viable, no homeowners, means no profits.

So use the form that gets their attention and make them listen and pay attention.

This notice may be used by a park owner or a home owner in a residential park to initiate the dispute negotiation process with another party in a residential park. Dispute negotiation is the first step in the dispute resolution procedures in the Manufactured Homes (Residential Parks) Act 2003 ('the Act).

Part 17, Division 1 of the Act contains dispute resolution procedures which home owners and park owners are required to follow when attempting to resolve a dispute in a residential park. Generally, parties must attempt dispute resolution before making an application to the Queensland Civil and Administrative Tribunal (QCAT), unless the application to QCAT is authorised under an exempt provision of the Act. Further information on exempt provisions can be found in section 116(5) of the Act.

Parties who are subject to dispute negotiation have an obligation to attempt to meet and resolve the dispute by negotiation at the time nominated in this form, or another time agreed by the parties that is within 7 days after the nominated day and time. The other party (receiving this notice) must respond in writing within 7 days.

Where the facts or circumstances of the dispute are the same for multiple home owners, they may act jointly in initiating a dispute. Where the dispute involves multiple homeowners, they should be listed in part 4 of this notice. For matters which cannot be resolved during the dispute negotiation, parties may apply to the QCAT registrar to have the dispute referred to mediation.

1300 753 228 or at www.qcat.qld.gov.au.

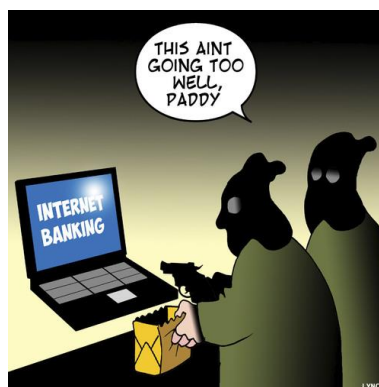
AMHO and ARPQ

We are pleased to say that both our associations are working in a collaborative manner to ensure that the housing Minister Ms Enoch, the Housing Department CHDE, the Government and the Member's of Parliament know of the issues in the residential parks. We have the same agenda, we do operate differently in some areas, but we have the same path in what we are pushing for in changes and amendments to the present Act. We are working well in ensuring the best outcome for the homeowners. Please support us to support you.



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

[Remember we have a document on our website advising on your home and contents insurance and companies that provide cover for manufactured homes. This is presently being updated and then will replace this version.](#)



HOW SECURE ARE YOUR BANKING DETAILS?

If you are like me, the constant push by everyone to get us online comes with the excitement of embracing change, along with the doubts of "IS IT SAFE?"

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My family are delighted I've tried to embrace the technology, but often remind me to be very careful what I click on and to be careful who I'm sharing my information with.

My thoughts usually are, if I give them the information to finalise a purchase, payment or service, what happens to it after they have used it? Why do they need to keep the information and if so, is it kept safely? We have been told that Government requires people to keep certain data for so many years, but my question is why would they require my banking details after the transaction is finalised?

The Optus Hack is making headlines as I write this, with the data of millions of Australians being held for ransom, with the threat that if the money is not paid, the data will be sold to the "bad people"! We know that one of those "bad people" stole the data and even if Optus pay probably will sell it, it is a dilemma.

While I worry how secure my banking details are, the Banks continue to close bricks and mortar branches forcing us all on to the internet, banking via our computers and devices. So, what can you do to keep your banking details secure?

The only way is to ensure that you control who has access to your personal bank account, I now have no "direct debits" being taken from my bank account. Payment of some bills is made monthly from my account, but I have set up the payment myself, and all accounts are paid on the day required by the company. My ANZ bank, offers me the service to make any payment once or recurring, using the "Pay Anyone" option, such as my fortnightly site rent. When I receive notification of any change in my site rent, the amount is easily changed.

I changed from the Direct Debit when the new owner of our park removed \$460 from my bank account without my permission, simply because they had decided to change the day and date the rent would be paid. No warning just the disappearance of the money from my account. Some in our village were left with no money in their account and were charged large bank fees for being overdrawn, and others had insufficient funds to get through to their next pension day.

When you sign up to direct debit you are giving that company, organisation, or person the right to remove your money from your account, as signing the form gives them permission.

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If you've just thought "I can't do that as my park owner said on my site agreement I must pay by direct debit" let me tell you that your park owner is breaching the Manufactured Home (Residential Parks) Act 2003 by demanding that when you sign your site agreement..... BECAUSE YOU CAN DO IT YOUR WAY!



Alliance requires a new secretary to keep us on track with admin.

We are now looking for someone that is interested in taking on this role or chatting with us about what it involves. Our present volunteer committee members live in the areas of Aspley, Bribie Island, Burpengary, Caboolture, and Coombabah, but we hold all our meeting via phone or video conferencing.

All you need is a computer with video and microphone (if not and you still want to take on the role we can supply a laptop) so you can attend zoom or team meetings, and you will need to be able to use word and excel. The requirement to check emails daily and respond or forward, and to attend committee meetings. You will be mentored and not thrown in the deep end, as we work as a team, so you will always be supported and listened too. The workload would be allocated slowly, and you work in your own time, and at your comfortable level with myself and the Vice President as backup.

We all have other things in our lives, so you can be flexible to take time out and just have to let the team know so we can cover for each other, so come join the team and volunteer for Alliance and the over 45,000 home owners in Qld who need our association. You will need to be organised and able to deal with some multitasking with the administrative side, but the workload is usually steady and routine not frantic nor do we expect you to work on your own all the time, we support each other..

You must be able to work as a team member and be open and honest in your work

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and supportive and caring to our members. Any out of pocket expenses will be paid and you will be included in all aspects of the Alliance. For a full role description please contact Rhonda on 0418368567 or amhocontact@gmail.com

caxton

legal centre inc

<https://caxton.org.au>

Queensland Retirement Village and Park Advice Service (QRVPA) is a free legal service that aims to help residents:

- understand their rights and responsibilities under the *Retirement Villages Act 1999* (Qld) and the *Manufactured Homes (Residential Parks) Act 2003* (Qld)
- obtain the knowledge and skills to present their interests to village and park operators and resolve disputes
- have increased access to appropriate legal information and advice.

To access the service, please call Caxton Legal Centre on (07) 3214 6333 to make an appointment. Lines are open between 9am and 4pm Monday to Friday to request a QRVPAS advice appointment.

Please note:

You will need to provide your name and the full name of the person who is on the other side of your legal matter.

There are a set number of appointment times so while an appointment time will be allocated, there may be a wait. You will not be transferred to a lawyer immediately.

Appointments are usually half an hour and can be over the phone with written confirmation of advice.

You will need to provide details of your problem to determine which lawyer is most suitable to handle the matter.

Legal advice cannot be provided unless all relevant documentation is provided prior to your appointment so the lawyer can review the issue. If you do not provide this information, there will be a delay in providing advice.

Please note: QRVPAS cannot assist with disputes between residents, but another community legal centre may be able to assist.

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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 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](mailto:amhotreasurer22@gmail.com) to the Treasurer on amhotreasurer22@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.

[Have you changed your details.](#)



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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 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.



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.
Mobile: 0418 368 567 Contact: amhocontact@gmail.com

Vice President: Roseann Whyte – Assisting the President in daily workload, park presentations, control of AMHO information registers, control of Action Plan implementations and follow ups,

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meetings with MP's and working groups and other outside organisations, standing in for President when required. Organisation of Park Presentations and MP meetings.

Contact: amhovp2@gmail.com

Interim Secretary: Carol Fitzpatrick - General Administration, Membership Assistance, and Membership Officer, Record Keeping, Reception, Members Communications.

Contact: 0418 527 041 or amhogovad@gmail.com

Treasurer: Graham Parr - Responsible for AMHO bank account, finance recording, and all financial AMHO matters, and retention of all 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, ADA advisor, Media

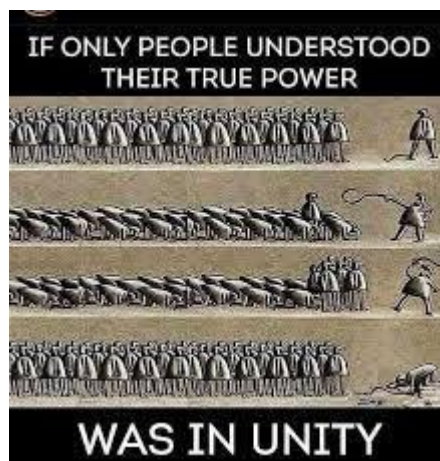
Government Advisor: Carol Fitzpatrick - E-petition, Liaising with MP's and government departments, Park Visits, Compiling documents for government consideration, proofreading. Contact: amhogovad@gmail.com

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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