



Minister for Communities and Housing
Minister for Digital Economy
Minister for the Arts

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24 MAR 2021

Mr Neil Laurie
Clerk of the Parliament
Parliament House
George Street
BRISBANE QLD 4000

Dear Mr Laurie

I refer to e-petition number 3447-20, tabled in parliament on 23 February 2021, regarding suggested changes to the *Manufactured Homes (Residential Parks) Act 2003* (MHRP Act).

I acknowledge the petitioner's request and reasons for the request.

Section 95 of the MHRP Act provides that a park owner must not engage in conduct that is fraudulent or misleading in the operation of a park or in acting as a home owner's agent to sell, or to negotiate the sale of, a manufactured home.

Residential parks are also covered by the protections in the *Competition and Consumer Act 2010* (Cth) Sch 2 (Australian Consumer Law). Under this law, it is illegal for a business to engage in conduct that misleads or deceives or is likely to mislead or deceive consumers. This law applies even if the business did not intend to mislead or deceive anyone.

The Queensland Government delivered a package of priority legislative reforms under the *Queensland Housing Strategy Action Plan 2017-2020* aimed at providing better protection for consumers living in regulated accommodation, including owners of manufactured homes living in residential parks. This included amendments to the MHRP Act and the *Manufactured Homes (Residential Parks) Regulation 2017* (the Regulation). Amendments included improvements to pre-contractual disclosure and cooling-off processes.

Schedule 1 of the MHRP Act sets out what must be contained in the 'initial disclosure documents' to be given to a prospective home owner, as well as other documents the prospective home owner must be given. This includes the address and real property description of the residential park in which the site is located.

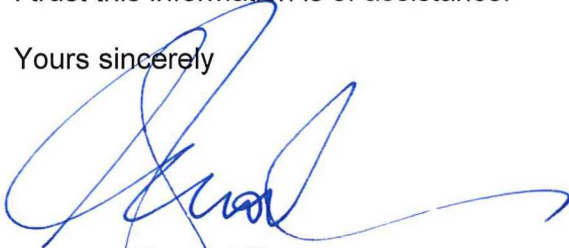
The *Retirement Villages Act 1999* requires disclosure by a retirement village operator to a prospective resident in relation to redevelopment of retirement village land. The petitioners' proposed amendment to include a similar provision in the MHRP Act may be considered in future reforms.

For further advice about legal rights and obligations of manufactured home owners and prospective home owners, the Queensland Government funds the Caxton Legal Service to provide free legal information and advice through the Queensland Retirement Village and Park Advice Service (QRVPAS). Homeowners can contact QRVPAS on (07) 3214 6333 for information and legal advice regarding their residential park.

If petitioners believe the owner of a residential park is in breach of the MHRP Act or the Australian Consumer Law, they may contact the Manager, Regulatory Operations, Regulatory Services, Housing and Homelessness Services, Department of Communities, Housing and Digital Economy on (07) 3008 3450 or email regulatoryservices@hpw.qld.gov.au.

I trust this information is of assistance.

Yours sincerely



Leeanne Enoch MP

Minister for Communities and Housing

Minister for Digital Economy and Minister for the Arts