

General increase notice

Manufactured Homes (Residential Parks) Act 2003

This form is effective from 31 October 2018

ABN: 86 504 771 740

Important

If you have concerns or do not understand this form, you should seek independent professional advice from an experienced lawyer or community legal service.

About this notice

A park owner can use this notice to propose a general increase in site rent in accordance with the site agreement and section 69A-69E of the *Manufactured Homes (Residential Parks) Act 2003* (The Act). This notice cannot be used to cover a special cost.

All general site rent increases for a particular basis in the residential park must occur on the *general increase day*, which is a day nominated by the park owner for that basis. For example, all market reviews in a residential park must occur on the same day. A general site rent increase for a site cannot occur more than once a year.

The calculation of a general rent increase cannot be done using more than 1 basis at one time. Where a site agreement allows for a site rent increase using multiple bases such as CPI and market review, only one basis may be used.

This notice must be provided to home owners at least 35 days before *the general increase day*. Upon receiving this notice, the home owner will have 28 days to dispute the increase through the dispute resolution procedures (see section 4 of this notice).

Instructions—Park owner/manager to complete

Please complete in BLOCK letters, attach additional documentation as needed. Give all references to dates as DD/MM/YYYY.

If you need help completing this notice, please contact the Department of Housing and Public Works on 13 QGOV (13 74 68)

Part 2—Market review

Market review information

Where the basis of a site rent increase is market review, this form must be accompanied by a market valuation of site rent that has been prepared by a registered valuer.

In preparing the market valuation, the park owner must consult with, or arrange for a registered valuer to consult with the park's home owners committee at least 63 days before the general increase day. Where a home owner committee doesn't exist, home owners from 25% of sites must be consulted.

Market review checklist

Complete if increasing rent on the basis of market review

Site agreement allows for market review of site rent

Interested entities consulted at least 63 days before *General Increase Day*

This notice is accompanied by a market valuation for the market review of the site rent prepared by a registered valuer

The market valuation report states any connection or agreement between the park owner and the valuer which may call into question the independence of the valuation.

Part 3—Details

Park owner/manager

Title Mr Mrs Ms Miss Other (specify)

Last name

First name

Business address

Suburb State Postcode

Phone Fax

Email

Full company/corporation name

.....

.....

ACN

Park owner/manager

Signatory (print name)

Sign here »

Signature

Date

DD / MM / YYYY

Part 3—Details continued

Park details	Park name Site number (if applicable) Street name within park (if applicable) Park address Suburb State Postcode
Home owner details	Person 1 Title Mr Mrs Ms Miss Other (specify) Last name First name Phone Email Person 2 Title Mr Mrs Ms Miss Other (specify) Last name First name Phone Email

Part 4—Dispute resolution

Dispute resolution procedure	If you have received this notice and you wish to dispute the change in site rent you (the home owner): <ul style="list-style-type: none">• must, within 28 days after receiving the notice, give the park owner a <i>Dispute negotiation notice</i> (Form 11) for the dispute; and• must use the dispute resolution procedures under part 17, division 1 of the Act to try to resolve the dispute with the park owner; and• may, subject to section 116 of the Act, apply to the tribunal for an order reducing the amount of, or setting aside, the site rent increase if the dispute cannot be resolved using the dispute resolution procedures.
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Further Information

If you would like more information, contact the Department of Housing and Public Works on 13 QGOV (13 74 68) or visit our website at www.hpw.qld.gov.au

Regulatory Services (Department of Housing and Public Works)

Regulatory Services administers *the Manufactured Homes (Residential Parks) Act 2003*. This includes investigating complaints and alleged breaches of the Act.

Department of Housing and Public Works

GPO Box 690, Brisbane, QLD 4001

Phone: 07 3008 3450

Email: regulatoryservices@hpw.qld.gov.au

Website: www.hpw.qld.gov.au

Queensland Retirement Village and Park Advice Service (QRVAPAS)

Specialist service providing free information and legal assistance to home owners and prospective home owners in residential parks in Queensland.

Caxton Legal Centre Inc.

1 Manning Street, South Brisbane, QLD 4101

Phone: 07 3214 6333

Email: caxton@caxton.org.au

Website: www.caxton.org.au

Seniors Legal and Support Service

These centres provide free legal and support services for seniors concerned about elder abuse, mistreatment or financial exploitation.

Caxton Legal Centre Inc.

1 Manning Street, South Brisbane, QLD 4101

Phone: 07 3214 6333

Email: caxton@caxton.org.au

Website: www.caxton.org.au

Queensland Civil and Administrative Tribunal (QCAT)

This independent decision-making body helps resolve disputes and reviews administrative decisions by government.

GPO Box 1639, Brisbane, QLD 4001

Phone: 1300 753 228

Email: enquiries@qcat.qld.gov.au

Website: www.qcat.qld.gov.au

Queensland Law Society

Find a solicitor

Law Society House

179 Ann Street, Brisbane, QLD 4000

Phone: 1300 367 757

Email: info@qls.com.au

Website: www.qls.com.au

Further information continued

Department of Justice and Attorney-General

Dispute Resolution Centres provide a free, confidential and impartial mediation service to the community.

Phone: 07 3006 2518

Toll free: 1800 017 288

Website: www.justice.qld.gov.au