



Selling authority

Manufactured Homes (Residential Parks) Act 2003

This form is effective from 1 September 2021

Warning

Before signing this form, you should seek independent legal advice from an independent and experienced Queensland lawyer.

It is an offence under the *Manufactured Homes (Residential Parks) Act 2003* (the Act) and penalties apply if a park owner/manager:

- charges a fee for the sale of a home that is more than the amount specified below
- charges a fee for the sale of a home without a selling authority
- charges a fee for the sale of a home but is not the person directly responsible for bringing about the sale.

It is an offence under the Act for a park owner/manager to engage in conduct that is fraudulent, misleading, harassing or unconscionable when acting as a home owner's selling agent. Significant penalties apply.

A home owner (or home owners) selling their manufactured home can use this form to authorise the park owner/manager to sell their home on a site in a residential park.

The current *maximum* fee by law that a park owner/manager can charge for selling a home under this selling authority depends on the sale price.

- For a home with a sale price of \$18 000.00 or less, the fee is 5% of the sale price.
- For a home with a sale price over \$18 000.00, the fee is \$900.00 plus 2.5% of the part of the sale price over \$18 000.00.

Instructions

Please complete this form in BLOCK letters. Attach extra pages if needed. Give all references to dates as DD/MM/YYYY. If you need help completing this form, please contact the Department of Housing on **13 QGOV (13 74 68)**.

| | |
|---|--|
| Home owner/s Name/s of home owner/s | Person 1 Preferred title Mr Mrs Ms Miss Other (specify) First name Last name |
| | Person 2 Preferred title Mr Mrs Ms Miss Other (specify) First name Last name |
| Site and park | Park name Site number (if applicable) Street name within park (if applicable) |

| | |
|---|---|
| Site and park continued | Park address Suburb State Post Code |
| Park owner/ manager | Preferred title Mr Mrs Ms Miss Other (specify) First name Last name |
| Fees payable to the park owner to act as selling agent | Asking price for sale Agreed commission Other applicable fees (e.g. advertising fees, signage costs) Total <i>Example: Sale price \$250,000. \$900 for the first \$18,000 plus 2.5% x \$232,000 = \$6,700 total commission (\$5,800 + \$900) plus \$300 for advertising and signage costs. Total selling fees = \$7,000 plus GST*</i> <i>*GST is payable in respect of any fee or commission payable by the home owner to the park owner under a selling authority</i> |
| Signature/s of home owner/s (seller/s) | I/We, being the owner/s of a manufactured home located at the above address, authorise the park owner/manager named above to sell, or to negotiate the sale of, the manufactured home placed on the site detailed on this form. I/We agree to pay to the authorised person named on this form a fee for the sale of the manufactured home which is no more than the amount allowed under the Act or Regulation. Signature 1 Name (please print) Date DD / MM / YYYY Signature 2 Name (please print) Date DD / MM / YYYY |

Further information

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

Regulatory Services (Department of Housing)

The Residential Services Unit regulates the *Manufactured Homes (Residential Parks) Act 2003*. This includes investigating alleged breaches of the Act.

Department of Housing
GPO Box 690, Brisbane, QLD 4001
Phone: 07 3013 2666
Email: regulatoryservices@chde.qld.gov.au
Website: www.housing.qld.gov.au

The Queensland Retirement Village and Park Advice Service (QRVPAS)

Specialist service providing free information and legal assistance for residents and prospective residents of retirement villages and manufactured home parks in Queensland.

Caxton Legal Centre Inc.
1 Manning Street, South Brisbane, QLD 4101
Phone: 07 3214 6333
Email: caxton@caxton.org.au
Website: <https://caxton.org.au/how-we-can-help/qrvpas/>

Seniors Legal and Support Services Centres

Provides 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: <https://caxton.org.au/how-we-can-help/seniors-legal-and-support-service/>

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