

From: [Inquiry into the Retirement Housing Sector POV eSubmission Form](#)
To: [LSIC](#)
Subject: New Submission to Inquiry into the Retirement Housing Sector
Date: Wednesday, 25 May 2016 11:04:10 AM

Inquiry Name: Inquiry into the Retirement Housing Sector

Miss Joane McKnight
[REDACTED]

[REDACTED]

SUBMISSION CONTENT:

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Introduction... Residential park residents, currently known as site tenants under the Residential Tenancies Act, (RTA) own their: by definition 'transportable' dwelling (in reality once assembled the cost of removal is prohibitive and completely impractical and the width of roads being narrow restrict accessibility – so dwellings are very difficult if not impossible to move) and rent the site on which it stands. Many site tenants invest their life savings in their retirement home and if they do not have secure tenure they are often living in fear of, or with misplaced trust in, the park and village operator. Lack of legislative protection leaves open the prospect of a major disaster occurring if a village owner decided to close their village and sell or convert the land into another commercial enterprise.

This is an industry that promotes housing for retirees and it should provide protection for a retired person's life-span.

This needs to be considered alongside other aspects of legislation and regulation though to ensure security is truly understood in a residential park environment.

Ombudsman

Older Australians need a Retirement Housing Ombudsman or improved form of dispute resolution so they can resolve their disputes with retirement housing operators quickly, fairly and cheaply. An Ombudsman is critical to addressing the imbalance between well-resourced retirement housing operators and residents. Both in legislation and in practice, there is a strong imbalance in terms of the enforcement mechanisms available to parties in residential tenancies disputes. Applications by landlords generally attract robust enforcement mechanisms, while applications by tenants do not.

Where you have to settle disputes through the person causing the disputes is not satisfactory

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Importance of separate Manufactured (Modular) Homes (Leased Land) Act

The term 'residential villages/parks' arose when people, mostly retirees, began living permanently in caravan parks where they owned a moveable dwelling but rented the site on which it stood.

Confusion is created by linking residential villages with current RTA parks legislation.

Residential Villages are distinct forms of accommodation. They have many differences to caravan parks but fundamentally the definition is in relation to having the majority of residents living permanently in the village.

The most effective, appropriate and comprehensive approach is not to reform the existing Part 4A but to introduce stand-alone legislation for this form of housing, as exists in all other states in Australia.

Separate legislation provides meaning and purpose for residents and operators.

The residential villages industry does not naturally align with the RTA due to the village set-up and operation. Terms such as lifestyle village, leisure park and retiree accommodation suit the style of accommodation provided and therefore separate legislation that best describes all aspects of this housing type and the services offered is more appropriate.

This needs to be considered alongside other aspects of legislation and regulation though to ensure security is truly understood in a residential park environment.

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File1:

File2:

File3:

From: [Inquiry into the Retirement Housing Sector POV eSubmission Form](#)
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Subject: New Submission to Inquiry into the Retirement Housing Sector
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Standardization across villages including fees etc.

Similar to caravans in caravan parks, moveable dwellings in residential villages are not built with the target population in mind, and neither is the park environment. The majority of dwellings have steps upon entry, narrow doorways throughout and are not designed for disability access.

Residential village living is targeted at people over 55 years of age and needs to consider the changes to mobility that might occur with age, including requiring easy access for emergency services. The aging population in Australia requires planning pre building stage to allow for changes in health and mobility requirements.

The aesthetic of the village environment often results in park operators not allowing ramps to be put in at the front of a dwelling, but regardless of permission most park environments do not have enough room to build a ramp to standard at the front of a dwelling. This means it must be put in at the back or side door, usually running through a carport or garage.

There are other concerns too like the lack of pathways in some parks or the terrible state of the roads that mean site tenants with scooters, wheelchairs and walking frames struggle to be mobile throughout the park. At times even communal facilities do not provide ramp or flat level entry and can often be built without rails. Trip points are a hazard in most buildings as is inappropriate furniture.

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File1:

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Management training and Certification

One of the biggest issues presented by residents relates to management attitudes and the lack of professionalism that exists in this field. There is currently no standards for managers, and no training required for people to undertake these leading roles. For this reason, residential village operation must be separated from the old caravan park culture. Managers need to be accredited and re accredited every 5 years.

Many residential village operators have an old-fashioned caravan park, almost feudal approach to park management and liaison with residents. Changes are needed to stop this endemic problem in the sector. Retirees' lives are negatively impacted and in some cases severely damaged by the behaviour of many village owners and managers. Creation of new legislation would set appropriate standards for managers for this type of accommodation and release the shackles from the old model.

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File1:

File2:

File3: