

February 09 2021

Statutory Review of the Residential (Land Lease) Communities Act 2013
Policy and Strategy Division
Department of Customer Service
4 Parramatta Square – 12 Darcy Street
PARRAMATTA NSW 2150

Email: rlcreview@customerservice.nsw.gov.au

To the Officer in Charge

I am a resident of the Residential Land Lease Community [REDACTED] and make the following contribution based on my experience as a resident and the relevance of the current Act.

A review of the Act in 2013 appeared to be more relative to caravan parks providing long-term caravan with annex accommodation not to the modern purpose-built manufactured homes in communities on land owned by well-resourced large multinational companies.

This upcoming review of the Act must reflect those changes in accordance with the rapidly changing demographic and shift in housing needs within present day residential land lease Communities.

A revised Act needs to address the interests of both Homeowners and Operators placing both on a balanced and equal footing. The current Act provides little protection against Operators more interested in providing a hefty return for investors, with little thought given to any moral obligation for the welfare of Homeowners.

A major issue for Residents is the annual site fee increase in which the current Act requires only an explanation for any increases to be given by the Operator. A review of the Act must include a requirement for the Operator to be more transparent in its operating income and expenditure to ensure a fair and equitable increase in site fees.

I am a 70year old single female pensioner on a basic Aged pension currently paying 31% of my fortnightly pension in site rental. Unless Operators are transparent and fair in their site fee increases, they will eventually in pursuit of Profit, force me and many others in a similar situations out of [REDACTED] which has 83 homes consisting primarily of Aged pensioners on single incomes and couples, with affordable housing. I feel my future security is constantly under threat and at the mercy of the Operator.

The only recourse against unfair treatment by an Operator is through the Fair Trading Tribunal. This is a cumbersome and complicated exercise, often with some doubt about impartiality of the process and the Operator complying with Orders made by the presiding member. Tribunal members need to have a better understanding of the issues facing Residents of Land Lease Communities and be given greater powers to have Orders enforced.

I trust that the upcoming review of the Act will remove many of the current imbalances and provide residents with some security for their future.

Yours sincerely

Linda Hill
[REDACTED]