

Submission to the review of the residential (Land Lease) Communities Act 2013

From: Rosie Kaplan [REDACTED]

To whom it may concern

I am a homeowner at [REDACTED] This community is owned by [REDACTED] Australia, [REDACTED].

I have many worries about the current act and concerns that this upcoming revue will be captured by operators/owners as they have the financial resources to lobby.

[REDACTED] Residents Committee has forwarded a very comprehensive submission. So, I am keeping this submission to small parts of just two aspects.

Leases

Many of these issues have come about because of a **typo** in the 2013 review of the act.

1. Currently, [REDACTED] are making new homeowners who come into [REDACTED] sign a non negotiable five year lease agreeing to a FIXED annual site fee increase of 4%. I know for a fact that a couple of house sales have fallen through (the sale has be hindered) because of this and that those who have signed it, didn't know that the rest of the village is on site fee increase by notice.
2. Current leases that are on increase by notice, must be able to be assigned to the new owner. This will go someway towards making the rents paid in the village equal. At the moment they are spiralling for some and steadily increasing for the rest.
3. Site fee increase by notice. The reasons for increase need to be transparent, with invoices offered and not include capital works.

Disputes

This is a David (Homeowners) and Goliath (operators/owners) situation with no chance of Homeowners using a sling shot.

The whole process is inequitable. Pensioners against international companies who have their own in-house solicitors and the support of a well resourced Association. In the past, when [REDACTED] went to the Tribunal, they used ARPRA. And failed. It was only when one of our younger, semi retired, homeowners with the right kind of back ground took the owners on that we won. We are lucky. Not many villages have one of her.

The dispute system has many issues and needs become a level playing field.

Yours sincerely

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Rosie Kaplan

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