



## MHOA(VIC) INC

A01179410

Manufactured Home Owners Association (Vic) Inc

**Address:** P.O. Box 427 Kilmore Vic 3764

# NEWSLETTER

**FEBRUARY 2023**

Firstly, apologies for not scheduling a January Zoom meeting with all members and the follow-up newsletter. Most of our committee members were taking a well earned holiday. However, a Zoom meeting with HAAG, Tenants Vic and COTA is being planned for March. Emails will be sent when date is known.

**COMMITTEE FORMATION:** Our AGM to elect a Committee was held on 30.11.22 which resulted as follows:

President / Treasurer Judy Duff                      Vice President Joane McKnight  
Secretary / Treasurer Carmel Perkins  
Committee Members: Jenny Lonergan, Kevin Wight, John Rogers, Laurie Beckwith

Below is a summary but read on for more detailed information of what MHOA has been up to.

Redacted copies of site agreements from various villages were sent to ACCC who advised it was not their role to comment the legality of them. We then forwarded them to ASIC, who also responded it is not their jurisdiction either.

An introductory letter was sent to COTA and Tenants Vic.

Since the State election, submissions have been sent to Danny Pearson, Minister for Consumer Affairs, Colin Brooks, MP for Housing, Disability, Ageing & Carers, Jaclyn Symes, Attorney General re legislation changes, standardised leases and fees. No responses as yet.

As you are aware, we are trying to compile a list of Victorian RTA-4A villages, a request was sent to DELWP for assistance. Once again, response was negative.

On the pages following, committee members initials have been used to save space. Also RTC = Residential Tenancies Commissioner (Heather). MHV = manufactured home village.

## MHOA FEBRUARY 2023 NEWSLETTER

### Meeting JD and RTC

The outcome of Residential Tenancies Commissioners Advisory Group meeting on 29.11.22 which was a private letter from Judy Duff to the RTC. This resulted in a one-on-one meeting with Heather on 6.12.22.

**Roundtable report-** JD advised Heather that she was not happy with the roundtable report. It had no teeth. The Roundtable report has resident solutions to each topic. MHOA have included this to our list.

RTC's idea is that she will take on board what was said and take it to the new Consumer Affairs Victoria Minister, Danny Pearson. Heather has worked with him before and feels he will be very good for us. She will discuss report with him and see what can be done.

- **Legislation changes-** JD is hoping that RTC will push for a standalone legislation – similar to NSW, Qld and SA already have. JD advised that Rhonda who was President of AMHO (Qld) is actually working with us. Rhonda is comparing Qld with Vic legislation. This will be very helpful.
- JR thought perhaps that legislation is a start but when will it happen? Should we concentrate on smaller issues? JR, as new member to these things, asked what is the process for getting legislation changed?

Ten steps required: 1. An idea 2. Create a Bill 3. Legislative assembly 4. Introduce to parliament & first reading 5. Second reading, 6. Consideration in detail 7. Third reading 8. Legislative council 9. Royal assent 10. A new law.

Anyone wanting more detail for each of these headings, contact JD by email for a copy. [info.mhoa.vic@gmail.com](mailto:info.mhoa.vic@gmail.com)

JD responded she feels that we should bombard as many MPs etc as possible with as many issues so we can get their attention, we just need to keep pushing MPs and once we get one or two on board, that's when things will progress. CP stated that the Greens leader, Dr Samantha Ratnam is sympathetic as she presented to Parliament in February 2022, a letter was sent—no response as yet.

## MHOA FEBRUARY 2023 NEWSLETTER

**Elderly Abuse Submission** –During JD’s meeting with Heather, Heather advised she is organising a meeting with Roe Allen (Equal Opportunities Commissioner), Gerard Mansour (Seniors Commissioner) and Tania Wolff from the Law Institute of Vic, (MHOA had sent submissions to these commissioners)

Tania has previously written to MHOA who was pleased with our submission and has been pushing Jaclyn Symes (Attorney General) regarding legislation changes regarding elderly abuse across the board, not just villages. We are getting a foot in many doors.

**RTC Visit to Villages** - Heather also requested we nominate a couple of villages for her to visit where she could meet some residents to make them aware of her role and get feedback of their issues.

- The first village Heather will be visiting is Kilmore JD has had a very positive response to the Commissioners visit to her village, and has invited Parklane Kialla and Kelvingrove Village have also been invited to the meeting as both are within easy driving distance of Kilmore.

**Village Register**-JD discussed a register for all villages. Heather suggested that this needs to be legislated and she will add this to the discussions with Danny Pearson.

There is a need for a public register for all villages. One exists for RVA and private rentals, why not MHVs. S.A. have a register and a comprehensive website to search many aspects of each village. JL also pointed out that once we have an approximate number of MHV residents in Victoria, this will enable a sizeable voice.

JD suggested a carrot approach for villages such as a star rating similar to motels and hotels. They would then have to compete against each other for higher ratings, residents could vote on their own villages, report back to CAV and this could be placed on a public register for all villages.

Heather suggested that this is not Government’s role and that maybe MHOA could initiate this instead.

## MHOA FEBRUARY 2023 NEWSLETTER

**MHOA Members Meeting-** Heather suggested we contact Fiona York (HAAG) to do a joint campaign on MHVs. JD has contacted Fiona York and a meeting will be organised for March date to be advised where all MHOA members and interested organisations will be invited to initiate a strong joint campaign to MP, some suggested participants will be Tenants Vic, COTA, HAAG and MHOA.

**FEES CPI-** KW was concerned about the calculation of CPI. JD is currently negotiating with her manager as to which CPI figure is being used. Not all village leases specify how CPI is calculated which is a legislation requirement. JL added that it is illegal not to have calculation method in leases and whether CPI is 'National' or 'City' based and which quarter or a whole year is being used.

- JD said a resident from his/her own village should ask and obtain in writing what method is being used before further steps can be advised by MHOA. This information will be valuable for our "Standard Leases" submission which is being prepared. JL advised that in NSW it is illegal to have a clause "3.5% or CPI whichever is higher" – the lower of the two must be used.

**VCAT CPI -** One of MHOA village member has taken her village to VCAT on CPI increases and is very enthusiastic about the outcomes, we will be advised after 9<sup>th</sup> February. We will keep you informed on the determination once we have been advised.

This has become an issue for all villages as the fees could soon outstrip our pensions and will not be sustainable.

**MHOA information to Villages-** CP said this could only be worthwhile if it is known that a residents' committee is there so that information can be sent directly. If addressed just to the village, management would 'bin' it. Therefore, if knowledge of a residents' committee is at that village it should be added to the data base.

## MHOA FEBRUARY 2023 NEWSLETTER

**NEW Contacts-** Another website which is worth a look is “[tenants.org.au](https://tenants.org.au)”. (NSW). They publish newsletters for ‘land/lease’ another term for MHV situations. JL and JR have subscribed to the newsletter called “Outasite”. Court cases are also published.

Tenants Vic have been contacted by MHOA and a meeting has been initiated for 22.1.2023 via zoom. JD and CP will attend and give feedback.

MHOA are pleased that Melissa Horne, who was the CAV Minister, has been moved to a different portfolio, as it seemed to us from correspondence, she didn't understand the difference between RVA and RTA. i.e. Retirement Villages Act and Residential Tenancies Act.

**Funding:** Heather suggested we apply to Lord Mayor's Charitable Foundation and Mercy Foundation Sydney as they are generous with housing funding.

We have now applied to the Mercy foundation for a \$10,000.00 grant which will go towards a website, mail outs to villages, promotional material. We will hear back in April if we are successful.