

# MHOA(VIC) INC

A01179410

Manufactured Home Owners Association  
(Vic) Inc

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## NEWSLETTER

MARCH 2023

Following on from the February newsletter

A summary of what has been happening during March

Judy Duff met with the Residential Tenancies Commissioner's Advisory Group where discussions were mainly on how agents can get away with bad behaviour. Judy pointed out that operators in MHVs have been getting away with this kind of behaviour since she has lived in a MHV and that Consumer Affairs Victoria is only interested in statistics but do nothing to protect residents.

**Lease agreements:** We still trying to obtain some information on the legality of our leases. Judy has emailed Tania Wolff, CEO Law Institute of Victoria, asking for her assistance.

During a meeting with Jennifer Beveridge, Tenants Union Victoria, on 22.02.2023 lease agreements were discussed:

**Judy-** Standard leases are an issue. We sent ACCC and ASIC six contracts for them to confirm on our behalf as unfair contracts. They were unable to assist, we were wondering if the Tenants Union could look at them on our behalf.

**Jennifer-** Possibly, but we do not have a lot of experience in RTA 4A Law, but it doesn't mean we can't develop it. As you can imagine we are under staffed, but you know who is really good at this is - Consumer Action Law Centre.

### Other comments made during that meeting with Tenants Union

**Judy-** We want to do a joint campaign. We are inviting other organisations to join us in progressing our issues jointly to all MPs regarding manufactured home village issues. I have spoken to Fiona at HAAG [Housing for the Aged Action Centre] and she is happy to assist us in any way possible.

**Jennifer** – I think that is a great idea to have a joint campaign. It makes us as strong as possible. Have you got the bones of the campaign?

**Judy-** That's something we need to sit down and discuss and I think that should be worked out with all the partners that are going to be involved in our campaign. The partners need to know which direction we are heading. We are the voice of the people, but we need other organizations to back us in our voice to politicians so we can get this up and running. We need our voice but we also need as many groups as possible to join us.



**Jennifer** - I am sure collectively we can come up with a bit of a campaign strategy that would help and if you have got your key messages, which is why you need other partners to work closely with you.

**Judy** - Fiona is doing that for us with Dini in NSW. She will meet up with us and have a discussion on how we want to proceed with this and what the results are going to be.

**Jennifer** - So keep doing what you're doing. You're obviously achieving amazing work on the smell of an oily rag. From a time point of view you have not been at it long, only six months not counting December and January

**Jennifer** - I think the interesting thing from your point of view is that you are also **home owners** so how do we leverage that as part of the message. It's just the land that you're renting. **You own the home-** that's part of the mythology of the Australian dream that we can create to characterize these villages. Such as: **yes I have my independence, I have bought my home - the challenge is on the land that I rent to put my home on.**

There is a very interesting intersect there between the message we connect with and we engage with in this country that maybe we need to think about different ways to leverage that, so I think it's clever that you called yourselves 'home owners' association, the manufactured bit is at the front but you're **home owners**.

**Jennifer** - it sounds like you are on the right path. I do not know what I was expecting at this meeting today, kudos to you, you are doing important work and I think you're well on the way

**Jennifer** - You need to draw out what your strategy is and to pick out things that are the key things, six things are too many. Three things, that's all anybody is going to listen to. So, how do we craft those three things and what strategies do we use to achieve those three things so it might be a multi prong approach.

**After that meeting** the three committee members got together to discuss how we could put our objective into three categories **the three things that we came up with were:**

**Standalone Legislation** - Without changes to legislation, we are unable to move forward

- (a) Definition of a manufactured homes
- (b) Protections for residents
- (c) Standard Leases
- (d) Responsibilities for maintenance

**Fees** -

- (a) Fair and adequate processes for rent rises,
- (b) Abolish exit fees

**Ombudsman** -

- (a) Without an ombudsman the industry will never recover from being left behind
- (b) Less time spent trying to get assistance in advocating on our behalf
- (c) Dispute resolutions less time at VCAT .

### **Compiling of a Manufactured Home Victorian Village List**

Judy emailed 64 councils asking for their help. Many have responded they do not have villages in their municipality and others have supplied us with a list but these villages are already known to us. If anyone has any other suggestions on how we can obtain further information please let us know,

### **Newspapers**

One of our members did a write-up in her local paper. She also met with her local MPs at a function and gained some interest in the MHOA. We have emailed both MPs information.

We appreciate Diane's efforts in putting our name out there, thank you and keep up the great work.



**THE SENIOR newspaper article March:** – “Fees Bamboozle Residents” on page 13.

Judy contacted THE SENIOR to see if we can get a write up on MHOA villages but no response as yet.

**Visit to a Village by MP** Another member has spoken to Ms Sarah Connolly MP, her assistant has contacted the MHOA in regards to villages in her jurisdiction, she is visiting Albion on the 30<sup>th</sup> March and Judy has been invited to attend and have a chat with her. Will let you know what eventuates.

Still no response from the MPs that we have sent letters and emails to. We may have to bombard them with letters from our members showing them we are a force to be reckoned with if we do not get their attention. It has been suggested we go to the newspapers- similar to what South Australia did which resulted in getting their MPs attention. This is only a suggestion at this stage Let's see what the joint campaign with HAAG, Tenants Union, CALC and MHOA can achieve.

**Fees** – Our member taking CPI to VCAT this is still ongoing, the Tenants Union has taken on her case and will assist her, however, this could take a while as nothing is easy when taking court action.

An email received from Fiona Waters, HAAG:

About the process of VCAT hearings when the owner/operator of a village or park lives in another jurisdiction.

“Due to some higher court rulings about constitutional law, VCAT no longer has jurisdiction between individual residents of different states. This means if the site owner is an individual who lives in a different state, VCAT would not be able to hear the dispute. The Magistrate's Court now has specific powers and training to hear residential tenancies dispute where one party lives in another state.

However, most site owners are companies, rather than individuals. VCAT can still hear an application between a resident in Victoria and a company based in another state, like Palm Lake Resorts. There are very few retirement housing that's owned by an individual, so it's pretty unlikely this would come up.”

More info here: <https://www.vcat.vic.gov.au/news/important-change-interstate-parties-disputes>

### **Utilities Relief Grant Scheme (mains):**

At our recent Committee Meeting, Jenny advised that this scheme is place for those you need assistance with gas, electricity and water bills. It was her provider who informed her of the scheme. Energy prices released last week of an increase is between 20-31% (Reported in The Age).

There is also a separate form available for **non-mains** utilities. Residents need to apply through their providers. The relief payment is made direct to the provider on behalf of the resident.

Laurie asked if an applicant needs to prove they cannot afford to pay, the answer being 'don't think so'. The **attached form** indicates criteria for application and if you are in financial difficulty, just phone your provider.



**\$250 Power Saving Bonus**

On 26 February the Premier announced a new round of the PSB program will commence on 24 March 2023. Victorian households will be able to receive a new \$250 payment, including any households that received a payment through the current round.

You can apply for the new \$250 payment by returning to the Victorian Energy Compare website from 24 March 2023. Or phone 1800 832. This programme is open for applications until 31 August, 2023.

**Funding Application**

The MHOA has made application to Mercy Foundation for funding which, if successful, would enable us to :

- Create an informative website and online membership applications
- Mailouts to villages
- Travel to villages to provide information
- Brochures and info pack for residents with no internet technology

**Visit by Residential Tenancies Commissioner to Judy’s Village at Kilmore**

MHOA has now organized two functions for residents to tell their stories. Between the *Roundtable* of 70 residents in August and a visit to Kilmore on 18 March. These two meetings combined have allowed around 160 residents to come forward and tell the Residential Tenancies Commissioner and, in turn, government their experience of living in residential parks.

MHOA acknowledges that there are many challenges faced by residents and committed to being your voice for change.

**Upcoming Residential Tenancies Commissioner Visits**

The Commissioner’s next village visits will be Cowes on 5 June and Leopold on 27 June.

**Fire Levy**

Recently a resident advised: “Fire levy—we don’t pay rates but they tried to charge us all the fire levy. We went to CAV and they withdrew these fees. We do not believe they were lawful. In principle this should not be charged to residents. CAV believe this to be unlawful and should only be paid by the land owner. “

MHOA’s advice is that if any resident is being asked to pay Fire Levy they should contact Consumer Affairs Victoria.

As the president of the MHOA, I want to thank all our members for their support and interest in assisting us in any way possible. Let’s continue to speak up. The louder the voice the better for all MHV residents.

Encl. Utility Relief Grant Scheme information



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Date

To all MHOA members,

Please see highlighted areas – to establish if you are eligible

Phone your electricity, gas or water retailer to request an application form. Your retailer will check your eligibility before sending out a form.

## Utility Relief Grant Scheme (mains)

<p><b>What is the grant?</b></p>	<p>The grant provides help to pay a mains electricity, gas or water bill that is overdue due to a temporary financial crisis.</p>
<p><b>Who can apply for the grant?</b></p>	<p>An account holder who has one of the following eligible concession card:</p> <ul style="list-style-type: none"> <li>• Pensioner Concession Card</li> <li>• Health Care Card</li> <li>• Veterans' Affairs Gold Card.</li> </ul> <p>If you don't have one of these cards but are registered with your utility company's hardship program and part of a low-income household you may also apply.</p> <p>The grant is available to renters and homeowners.</p>
<p><b>What are the criteria for the grant?</b></p> <p><b>Shelter means -- - Rent</b></p>	<p>You must show that you have no way of paying the account without assistance, and</p> <p>You must meet one of the five following criteria:</p> <ul style="list-style-type: none"> <li>• you have had a substantial increase in utility use</li> <li>• you have had a recent decrease in income, for example, lost your job</li> <li>• you have had high unexpected costs for essential items</li> <li>• the cost of shelter is more than 30% of your household income</li> <li>• the cost of utility use is more than 10% of your household income.</li> </ul>
<p><b>How much is the grant?</b></p>	<p>The amount of the grant is based on the amount you owe at the time of application. It is capped at six months' worth of utility use up to a maximum of \$500.</p> <p>You can apply for separate grants for each utility (electricity, gas and water).</p>
<p><b>How often can I claim a grant?</b></p>	<p>A grant can only be given once every two years per utility type.</p>



<b>How do I apply for the grant?</b>	Phone your electricity, gas or water retailer to request an application form. Your retailer will check your eligibility before sending out a form.
<b>More information</b>	Phone your electricity, gas or water retailer or the Concessions Information Line on 1800 658 521.

#### Further information

<b>How is the grant paid?</b>	The grant is paid to your electricity, gas or water retailer, who will credit the grant against your outstanding debt.
<b>How long will my application take?</b>	Applications take approximately four to six weeks to process, from the time that a completed form is received. We will write to you once your application has been considered.
<b>What information do I need to include with my application?</b>	You do not need to attach any information with your initial application, however our assessors may contact you to request copies of any supporting documents.
<b>Why do I have to request this form from my utility company?</b>	When you request an application for the grant from your utility retailer, they will put a hold on your account so that no disconnection action is taken by them while your grant is being considered. Your retailer will provide the Department of Health and Human Services with your billing information and the current amount owing on your account.
<b>I received a grant for my electricity bill – can I apply for help on my gas or water bill?</b>	<b>Yes.</b> You are able to receive a separate grant on each utility (electricity, gas and water) once in a two year period (if eligible at the time of application). You will need to complete a separate application form for each utility – contact the relevant retailer to request each form.
<b>I received a grant of less than \$500 – can I receive more?</b>	You are not guaranteed to receive a grant of \$500. The grant is capped at six months of usage, up to a maximum of \$500. We can never pay more than the amount owing on your bill. The amount granted is also based on the reasons for applying detailed in your application form. If you wish to discuss the amount of your grant, call the Concessions Information Line on 1800 658 521.

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