



Manufactured Home Owners Association (Vic) Inc.

A01179410

Address: P.O. Box 427 Kilmore Vic 3764

Email: info.mhoa.vic@gmail.com

Phone: 0431 347 797

NEWSLETTER

MARCH 2026

ALERT FOR FUTURE AND RENEWING LAND LEASE HOME OWNERS

Significant updates to the **Residential Tenancies Act 1997 (Part 4A)** are now in effect, with further mandatory requirements arriving in **July 2026**. These reforms ensure fairer site agreements and better financial security for all future and renewing land lease residents.

In just three years, the **MHOA** has fundamentally shifted the power balance for Victorian land lease residents by **securing the three pillars that creates a "safety net" which didn't exist before:**

1. Mandatory Standard Site Agreement (The Baseline)

MHOA successfully eliminated the "fine print" lottery. By achieving a **guaranteed legal baseline**, every new or renewed leases will start with the same protected terms. This stops operators from burying unfair clauses in complex, park-specific legal jargon that varies from one fence line to the next.

From **1 July 2026**, all new or renewed site agreements must use the official government template (**Form 16A**).

- **20-Day Review:** Residents must receive any proposed site agreement at least 20 days before signing.
- **No More "Old" Contracts / Site Agreements:** Upon renewal, operators must transition you to the standard version; they cannot "roll over" old, park-specific contracts / site agreements.
- **Baseline Protection:** The standard form removes complex, non-standard terms that previously overrode your legal rights.
- **Compliance:** Operators face fines of approximately **\$5,000 per breach** for failing to use the correct forms.



2. Expanded Disclosure Requirements (The Roadmap)

Effective July 2026, the new **Regulation 77** turns the guesswork into certainty. Operators are now legally forced to provide clear financial and safety information *before* a site agreement is signed, such as:

- **Financial Clarity:** Operators must provide mandatory 1, 2, 5, and 10-year rent forecasts and clearly list all Deferred Management Fees (DMF) / exit costs in a dollar value.
- **Risk & Safety Transparency:** Operators must disclose 5-year flood history, bushfire status, and emergency evacuation plans that are now mandatory.
- **Rent & Fees:** Residents are now entitled to **90 days' notice** for rent increases. Additionally, third-party payment types are now banned from charging fees to process rent payments.
- **Security of Tenure:** "No-fault" evictions at the end of a fixed term are prohibited. Operators now require a valid legal reason to terminate an agreement.
- **Transparency:** Operators must disclose the end date of their head lease (if they do not own the land) and also provide contact details for the Residents' Committee.
- **Exit Clarity:** Operators must disclose upfront a listing of all Deferred Management Fees (DMF) / exit fees. These costs must be in a dollar value.

3. The Older Persons Housing Rights Service (The "Teeth")



**Justice for existing
and future land
lease residents.**

MHOA Advocacy Outlook (2026/2027):

We continue to lobby the Minister to adopt further Legislative Impact Assessment (LIA) recommendations. Our priorities include establishing a dedicated Ombudsman with binding powers, abolishing 'market rent reviews', and strictly limiting rent increases to the Consumer Price Index (CPI) only.

3. The OPHRS cont'd...

While MHOA continue to push for an Ombudsman, the **Older Persons Housing Rights Service (OPHRS)** is a massive win. It will provide the professional muscle residents need, including:

- **Specialised Advocacy & Legal Support:** Expert help for those aged 55+ by having access to experts who understand land lease law to match the legal resources of village/park operators.
- **Free Legal Scheme:** No-cost legal support for pensioners and the financially disadvantaged by receiving help with tribunal hearings and complex legal jargon to ensure your voice is heard regardless of your financial situation.
- **VCAT Representation:** Professional assistance to ensure residents aren't intimidated by the tribunal process.

This is a **MASSIVE** win for the **MHOA**. Even without the ombudsman title yet, securing a specialized advocacy and legal scheme specifically for pensioners and disadvantaged residents is a huge practical victory. It effectively gives residents the "teeth" they've been missing when dealing with village/park operators. Here is why this **OPHRS** achievement is a game-changer for land lease manufactured home owners:

- **Levelling the Playing Field:** For the first time, residents have access to professional advocates who understand the specific complexities of land lease law, matching the legal resources often held by village/park owners.
- **Removing the Cost Barrier:** By providing a **free legal scheme**, it ensures that a resident's bank balance doesn't determine whether they can defend their rights or challenge an unfair site agreement.
- **Direct Support at VCAT:** Having specialized help for tribunal hearings reduces the stress and "legal jargon" hurdles that often discourage older Victorians from pursuing a claim.
- **Expert Oversight:** Having this dedicated service means there is now a formal, government-backed body focused entirely on the housing rights of older Victorians.

This achievement proves that **MHOA's** persistence is working—moving from "requests" to actual **legislated protections** and **funded support services**.

We've worked hard to move the needle! Now, these protections are here to stay.

On Page 4 we have detailed different ways to contact Consumer Affairs Victoria (CAV) as they are responsible for varied legislation covering residential parks and provides a lot of information on their website.



Judy & Carmel

Business hours: Mon-Fri 9am—4.30pm

HOW TO CONTACT CONSUMER AFFAIRS VICTORIA: **on your PC**

Consumer Affairs Victoria (CAV) is responsible for varied legislation covering residential parks and provides a lot of information on their website.

One way of finding information from CAV, is to log onto our website, mhoavic.com then:

- ☑ Click on Useful Links in the blue banner, then
- ☑ Click on CAV - Consumer Affairs Victoria, then
- ☑ Click on Housing, then
- ☑ Click on Residential Parks.

This will provide you with many links to information on specific topics.

If you need to speak with someone at CAV:

- ☑ Call 1 300 558 181, and
- ☑ Ask to speak with a live agent dealing with Residential Parks.

You can also log onto the direct CAV website, www.consumer.vic.gov.au, then

- ☑ Click on Housing, then
- ☑ Click on Residential Parks.

HOW TO CONTACT CONSUMER AFFAIRS VICTORIA: **on your Tablet**

One way of finding information from CAV, is to log onto our website, mhoavic.com then:

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