

Fact Sheet

The *Manufactured Homes (Residential Parks) Act 2003* (the Act) is the law that covers residents, owners and park managers in Queensland.

What is a utility?

The following services are defined as utilities under the *Manufactured Homes (Residential Parks) Act 2003* (MHRP Act):

- ❖ electricity
- ❖ gas
- ❖ sewerage
- ❖ water

When utility supply is NOT separately metered

If the supply of the utility is *not* separately metered at your site, the park owner must not charge a separate charge for use of the utility – instead, the cost of utility supply must be incorporated into the site rent.

When the supply of the utility IS separately metered

The rules in section 99 and section 99A of the MHRP Act govern separate utility charges. They apply to manufactured homes which satisfy the following requirements:

1. The home is subject to a *site agreement* between the home owner and park owner
2. The service in dispute is classified as a "utility" under the MHRP Act (i.e. either electricity, gas, sewerage or water)
3. The supply of the utility is separately metered at the site

In these cases, the park owner may charge residents separately for the cost of the supply of the utility to the premises. The park owner must not charge an amount which is more than the

amount that they pay to the supplier. In addition, they must not charge an additional fee, for example a service fee or meter point fee unless this is explicitly provided for in the site agreement.

In order to ensure that residents are not being overcharged, residents should ask the park owner to keep a copy of the utility bill at the park office for home owners to inspect and display a copy on the park notice board.

What to do if you are being overcharged

The MHRP Act provides for dispute resolution between park owners and residents. Residents who suspect they are being over charged may like to discuss the matter with the park owner. If you are unable to resolve the dispute through negotiation, you may like to access free dispute resolution services through the Department of Justice and Attorney General. If this is unsuccessful, residents can apply to the Queensland Civil and Administrative Tribunal for a ruling on the matter.

For free advice on Caravan & Manufactured Homes call:

**Tenants' Union of Queensland (TUCAM)
07 3852 2064 – Tues & Wed**

For free tenancy advice call:

1300 744 263 – Statewide advice line

9am – 12.30pm Mon Wed Thurs &
3.30pm – 7pm Tues Wed

www.tug.org.au