



Housing Options. Residential Parks Housing

What is a residential park?

The *Residential Parks Act 2007 (the Act)* states that a residential park is an area of land used or intended to be used in either or both of the following ways:

- (a) as a complex of sites of dwellings in respect of which rights of occupancy are conferred under various residential park tenancy agreements, together with common area bathroom, toilet and laundry facilities and other common areas;
- (b) as a complex of sites in respect of which rights of occupancy are conferred under various residential park site agreements, together with common areas (which may, but need not, include bathroom, toilet and laundry facilities).

Residential Parks do not receive government funding.

The park owner* can make *rules* about the use, enjoyment, control and management of the park. For full details, please refer to section 6 of the Act and also the Regulations which form part of the Act.

This fact sheet is concerned with those parks where the *rules* made by the park owner indicate that residents must be aged 50 years and over, that the resident owns the dwelling - usually a manufactured home - and where renting is not given as an option.

* *Park owner means the owner OR the operator of the park.*

How are residential parks organised?

The company which operates the Residential Park maintains and manages the community facilities and pays council rates, water rates and sewerage rates etc. These costs are then reimbursed by the residents. The costs are spread over the total number of homes in the Park and paid by residents in their weekly site fee.

Under the Act each house owner enters into a written agreement with the park owner detailing the respective responsibilities of park owner and home owner. Owners of the individual residences do not pay stamp duty, legal fees or exit fees on moving out of the park.

Each home owner is responsible for the payment of insurance of home and contents, maintenance of the home, electricity, gas and telephone charges related to the home. Residents may be eligible to apply to Centrelink for concessions relating to energy allowances, council rates, water rates and site rent assistance.

Home owners may create their own environment in and around their home i.e. - outdoor living area, garden and the interior of the home. Home owners are able to install items, at their own cost, such as solar panels and solar hot water systems (HWS) to reduce their living costs.

Each Park can have an elected Residents Committee under the Residential Parks Act 2007 to look after the rights of residents. Also the South Australian Residential Parks Residents Association Inc. (SARPRA) monitors the administration of the Act and the rights of house owners. SARPRA works with national and interstate bodies

Useful contacts

Catalyst Foundation (formerly Seniors Information Service) - for information on housing options for seniors. Tel. 8168 8776 or 1800 63 63 68 (SA country callers); www.catalystfoundation.com.au.

A list of Residential Parks in South Australia is available on Catalyst Foundation's website or can be provided upon request.

Consumer and Business Services - If a resident requires advice or further information about tenancy issues. Tel. 131 882 or Tenancies Advice 8204 8517. Forms and fact sheets available from the website www.cbs.sa.gov.au/wcm/rentingletting including 'Residential Parks Act 2007 Information Notice', outlining rights and responsibilities of owners and residents.

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The South Australian Civil Administrative Tribunal (SACAT) (taking the roles previously performed by the Residential Tenancies Tribunal) has the power to resolve disputes between residential park owners/operators and residents, including breaches of the Act. The Tribunal cannot hear disputes between residents or any dispute which is not related to the Act/Regulations or the contract between the resident and the park operators.

Tel. 1800 723 767; email sacat@sa.gov.au;

www.sacat.sa.gov.au

Locations: Level 4, 100 Pirie Street, Adelaide 5000 and Level 8, 85 North East Road, Collinswood.

South Australian Residential Parks Residents Association (SARPRA) is the peak body representing seniors who own homes in residential parks in South Australia.

Tel. 8255 9245; www.saresparkresassoc.asn.au