

**Health, Communities, Disability Services and Domestic and Family Violence Prevention Comr**

**From:** Wayne McClear [REDACTED]  
**Sent:** Wednesday, 19 December 2018 4:11 PM  
**To:** Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee  
**Cc:** Caloundra Electorate Office  
**Subject:** Health and Other Legislation Amendment Bill 2018.  
**Categories:** Submission

To the Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee (the committee)

Subject: *Health and Other Legislation Amendment Bill 2018, Part 9 - Amendment of Retirement Villages Act 1999 - 'to clarify a recent amendment in relation to timely payment of exit entitlements at retirement villages and make associated amendments to the Duties Act 2001.'*

We are the owners of freehold lot 103 in the Pebble Beach Retirement Village which is a self-managed, owner occupied, registered retirement village of 151 freehold lots (Community Titles Scheme No 33548). There is no exit entitlement. We have invested in our property knowing that resale would be subject to market conditions and are happy for this situation to continue.

The village has a simple management structure. The Scheme Operator does not own any assets in the retirement village and only provides one general service, thus keeping the Scheme Operator fee as low as possible so residents can enjoy retirement without unnecessary financial demands on their funds.

As we understand it, the Bill amends the *Retirement Villages Act* to clarify that, if a property were to remain vacant and unsold for a period of 18 months after the owner terminated their right to reside in the village, the scheme operator - i.e. the collective owners in our case - could be required to fund the mandatory purchase of that property regardless of the tenure type.

We submit that, in the case of Pebble Beach Retirement Village, such amendment:

- would have the unintended consequence of causing undue and potentially significant financial hardship to all owners;
- could, depending on the number of eligible lots, create an untenable situation whereby the village may have to go into major debt in order to fund mandatory acquisitions;
- would adversely affect, or discriminate against, the resale of our property, thus compounding the problem;
- could force the village to jettison its retirement village status, thus leaving vulnerable residents without a supportive community.

We also submit that, whilst the Bill attempts to ensure that protections apply fairly for all residents across the retirement village sector, it does not ensure that all residents are fairly protected.

Therefore, we ask that self-managed freehold registered retirement villages with no exit entitlement obligations, such as Pebble Beach Retirement Village, be granted an exclusion from the mandatory purchase process.

Wayne McClear and Lorraine McClear

Pebble Beach Retirement Village

