

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

From: Graham Davies [REDACTED]
Sent: Friday, 28 December 2018 1:22 PM
To: Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee
Subject: amendments to the Retirement Villages Act

[REDACTED] [REDACTED]

To Whom it may concern.

In regard to the proposed changes to the Retirement Villages Act 1999 (Qld) as outlined in the [Health and Other Legislation Amendment Bill 2018 \(Qld\)](#), I wish to voice my objection to the inclusion of Freehold retirement villages as part of this amendment.

As an owner of unit [REDACTED], within the Pebble Beach Retirement village, Sandstone Point, Qld. 4511, I bought this property 10 years ago, explicitly to avoid the buy-back provisions that are demanded by some scheme operators. As owner of a freehold property I have the right to sell my unit on the open market and include the property as part of my estate, that is administered by a lawyer and/ or my family within provisions of Enduring power of attorney. I do not require mandatory stipulations of a Scheme Manager to interfere with my rights.

What does freehold only mean?

Definition: Freehold property can be defined as any estate which is "free from hold" of any entity besides the owner. Hence, the owner of such an estate enjoys free ownership for perpetuity and can use the land for any purposes however in accordance with the local regulations.

What is freehold price?

In practice it means the outright ownership of land or property for an unlimited period and applies to the majority of houses. A leasehold interest is, on the other hand, a temporary right to occupy land or property. A person who owns the freehold interest in a property may grant a lease on it to another person.

I agree with the view formed earlier this year when the Property Council wrote to the Minister of Housing and Public Works, the Honourable Mick De Brenni, stating that it is fact that there are significant differences in the tenure types and that the provision clearly does not and should not apply to freehold villages where, unlike leasehold and licence villages, the operator has no underlying ownership of the resident's unit.

Sincerely yours
Graham Davies.