



Speech by

**CHRIS FOLEY**

**Member for MARYBOROUGH**

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Hansard 16 October 2003

**MANUFACTURED HOMES [RESIDENTIAL PARKS] BILL**

**Mr CHRIS FOLEY** (Maryborough—Ind) (5.33 p.m.): I rise to speak in support of the Manufactured Homes (Residential Parks) Bill 2003. Having a look at the overall intent of the bill, I would say it goes a long way to addressing some of the problems that have existed previously. It does so by providing good, clear communication and concise information as the basis of a contract between a user of the park and the park proprietor. This information, or a lack of this information, is what causes lots of business relationships to flounder. Disclosure of information to prospective home owners about the park and the bill can only be seen as a good thing.

With regard to the seven-day cooling-off period, I am always in favour of that particular type of legislation because of my experience in my former role as an accountancy and financial planning practice partner. I have seen the benefits of seven-day cooling-off periods on all sorts of financial contracts. A good many times the reason people have pulled out during the seven-day cooling-off period is that they rightly identified that they did not understand at the time the implications of the offer being made to them. So I think that is definitely a good thing.

Looking a little closer to home and looking at Maryborough's formerly cheap real estate—and our fair city is no different than any other cities in south-east Queensland and probably many parts of Australia—the capital values of real estate have thrived in a regime of low interest rates. That is one of the things worth noting that has caused this particular problem. To turn to some statistics, house prices in Maryborough have risen by 16 per cent in the June quarter, and that has impacted very strongly on the fact that rental prices are also soaring. Just this week Tony Dreger, who is the coordinator of Coolooli House in Maryborough which looks after homeless men, has told me that more than 200 homeless people are on Maryborough's housing waiting list and about 10 are turned away each week.

The city's homeless number has blown out in past years because of this property price boom. People are seeking other living arrangements—what we formerly called mobile homes. About 300 men, women and children each night are housed in emergency type accommodation—or public housing as it is more widely known in the area. When we look at people who live in manufactured homes and residential parks, we do not have to be blind Freddy to figure out that often those people, unfortunately, live in a low socioeconomic environment. Whilst people who are very comfortable financially can afford to find themselves in a difficult situation or a tight corner from time to time, often if people who live in manufactured homes and residential parks do their dough it is their last roll of the dice on a very large capital value. So I support the intent of the legislation to make it very clear as to what is happening there.

The existing act, it is said in the second reading speech, provides security of tenure for home owners by limiting the grounds upon which the agreement to cite the mobile home may be terminated. I think that is a good thing, as termination decisions, let us face it, are not always made with the consumer's best interests at heart. I say that very carefully because any member of this parliament knows that there are two sides to every story. I have some concerns that park owners are not vilified because of any inference that all park owners are scoundrels. That would be as smart as saying that all politicians are scoundrels when we know that is not true. I am sure a few members of this House would agree with that.

In reference to the fact that it also provides access to the Small Claims Tribunal to determine disputes, that does not particularly light up my excitement meter because in my past business

experience, unfortunately, I found the Small Claims Tribunal to be somewhat of a toothless tiger in getting a result. On balance, the existing legislation that does not require a site agreement to be in writing or signed by the parties is clearly a recipe for disaster. The only requirement currently is for a statement of that agreement to be provided by the park owner within three months of the home owner's entry into the park. That would be like buying a second-hand car and then having the owner of the car give you a whole list of things that could potentially be wrong with the car within the next three months. So that is a recipe for disaster as well.

Overall, and on balance, I think it is a good piece of legislation. Unfortunately, it will add to the paperwork regime of park owners, and I am sure they will be sighing and groaning like the rest of the community about the amount of paperwork that is required. But anyone who has nothing to hide has nothing to be afraid of from this legislation, and I commend the bill to the House.