




Speech By
Mark Boothman

MEMBER FOR THEODORE

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ADJOURNMENT

Off-the-plan Developments, Sunset Clauses

 **Mr BOOTHMAN** (Theodore—LNP) (6.25 pm): Tonight I rise on the issue of sunset clauses that destroy so many families in my area, throughout South-East Queensland and greater Queensland. I note that the Attorney-General and Minister for Justice, the member for Waterford, spoke about this in a matter of public interest this week. I have been dealing with many families who are absolutely horrified and distraught about what is happening to them. They entered into a contract to buy a property off the plan in good faith with a developer, only to have that property sold out from underneath them. In Queensland and every other state in Australia when you enter into a contract, when you shake a person's hand, that contract should hold. In this case it does not. I know there is some movement on this issue, but I say to the Attorney-General that we need to move quicker to protect these families and investors.

One such family paid a small fortune to get plans drawn for a house on a block of land. That block of land was sold from underneath them for a financial gain of over \$100,000. There are other stories where the developer has almost doubled their money. It is wrong. I ask the Attorney-General to fast-track this legislation. There is legislation in other states that works. New South Wales implemented legislation in 2015. It has been tested in court. Justice Drake stated that it is a fair outcome for both buyer and seller. In the ruling he made he forced the developer to pay the legal costs because he felt that what the developer was doing was purely for financial gain. There needs to be a fair balance point. These laws cannot come soon enough. We have families whose sunset clause time limits are coming up. They too will be stuck in this awkward conundrum. I plead with the Attorney-General to fast-track these rules and give these people some hope.