

Question on Notice
No. 2325
Asked on Thursday 1 December 2016

MR DICKSON ASKED THE MINISTER FOR HOUSING AND PUBLIC WORKS (HON M DE BRENNI) —

Will the Minister explain why the State Government is failing to protect the life savings of the elderly who seek to provide for themselves by allowing the extortionate draining of funds by retirement village owners, as a result of the parameters of the Retirement Villages Act 1999 that will force them in ever increasing numbers into state dependency when they set out to support themselves entirely?

ANSWER

I refer to my response to your previous Question on Notice 2116 where I note that as a Minister in the former Newman LNP Government, the Member for Buderim would be aware that during the previous Parliament, a decision was made to review the *Retirement Villages Act 1999* (the Act). Despite the former Transport, Housing and Local Government Committee conducting a review of the Act and tabling a report on 29 November 2012, the Newman LNP Government failed to make any amendments to the legislation.

The Act has been reviewed as part of the Palaszczuk Government's commitment to developing a new Housing Strategy to shape the vision for housing, including senior's housing, in Queensland over the next 10 years.

Amendments to the Act are proposed to be introduced into Parliament in 2017. The amendments will seek to ensure regulatory arrangements reflect contemporary needs, are fair and accountable, and provide adequate consumer protections that support the goal of putting people at the centre of housing markets and communities.

The Member for Buderim may be aware that the Act provides a framework through which a retirement village scheme operator and a potential resident may enter into a Residence Contract which grants the potential resident an exclusive right to reside in a retirement village.

The terms of the Residence Contract which retirement village scheme operators are obliged to disclose prior to the signing of the Residence Contract, can be negotiated between the parties to the contract, prior to the contract being signed by the potential resident.

The Act also requires retirement village scheme operators to provide a potential resident with a copy of the Public Information Document, prior to signing a Residence Contract. The Public Information Document is a standard form provided by my department which emphasises that potential residents should obtain independent legal advice prior to signing a Residence Contract, and that once a Residence Contract is signed, the resident is entitled to withdraw from the contract during the 14 day cooling off period and receive a full refund of all money paid to the retirement village scheme operator.

The Public Information Document also provides advice to residents who may become in dispute with their scheme operator about the parties' rights and obligations under the residence contract. My department also supports retirement village residents' rights through the funding of the Park and Village Information Link (PAVIL) service which provides free of charge legal advice to residents who are in dispute with their service provider.

I look forward to your support of this Bill being introduced into Parliament in 2017.