

CCI sub 44

Beckingham, Vanessa

From: Pastorelli, Daniel [Daniel.Pastorelli@mp.wa.gov.au]
Sent: Thursday, 30 April 2009 5:12 PM
To: Committee, Economics & Industry Standing
Subject: Constituent's submission - Inquiry into the Provision, Use and Regulation of Caravan Parks (and Camping Grounds) in Western Australia
Attachments: Laurie submission.doc

Good afternoon

Mrs Auriel Hill and Lennard Rance, residents of the Swan Valley Tourist Village requested that I forward there submission onto you via email.
They posted their submission today and should arrive at Parliament House tomorrow.

Regards

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30/04/2009

Auriel Hill

The Principal Research Officer
Economics and Industry Standing Committee
Legislative Assembly
Parliament House
Perth WA 6000

To whom it may concern

**RE: INQUIRY INTO THE PROVISION, USE AND REGULATION OF CARAVAN
PARKS (AND CAMPING GROUNDS) IN WESTERN AUSTRALIA**

We are writing to put forward our views on the caravan park industry and more specifically the negative impact the current legislation has on park home owners like ourselves.

The *Residential Parks (Long-stay Tenants) Act 2006* is Legislation lacking any real support for park home owners. We see the main thrust of the Legislation acting as a guard for the caravan park owner, but having no or minimal protection for the park home owner. It is our desire to see the Legislation amended appropriately therefore giving park home owners better protection and security.

As tenants of the Swan Valley Tourist Village the owner of the park produced an agreement, as required by the Act, which has completely disregarded our lifestyle as park home owners. The owner of the park has proposed an \$80 charge on every tenant for the development of this agreement. We never asked for such a detailed and unfair agreement, and we definitely never requested to be charged for the creation of such an agreement.

We see the agreement as an abuse of our civil liberties. For example if we decided to sell our park home, the agreement requires that the park owner be the sole selling agent and then collects a fee of three per cent of the sale value or a minimum \$3000. In addition we are forced to take out an insurance policy and as tenants we must give the park owner a copy of the current certificate of insurance within 14 days from it being issued or each subsequent renewal.

As proposed in the agreement we as park home owners are not allowed to have more than four visitors in our home at any one time. This is senseless especially when we may have family over for special events, like Mother's Day or Christmas. In addition the agreement states that we cannot have any visitors after 9.30pm on any day, unless they pay an \$8 overnight fee. This would mean if we wanted to babysit our grandchildren overnight, it would cost us to have them sleep in our own home.

Under the proposed agreement we are only allowed to have one car parked in our driveway. When in actual fact our driveway can fit two-three cars and would not be infringing in any way. That is why the owner stipulates in the agreement that parking for additional vehicles is allowed, but a \$10 fee per extra vehicle per week is to be paid. This is just another way for the owner to increase fees and charges.

The agreement the park owner has created is completely unfair on the tenants and holds no protection or security for the tenant. We believe this is result of the Legislation.

We have both been tenants in our park homes at the Swan Valley Tourist Village for over twelve years now. We made the big decision to buy a park home and move into the park on the basis of the existing rules at the time. We understand that change over time is required, however we believe we should not be punished by the new Legislation simply because we made a decision twelve years ago. The Legislation should detail better protection for existing park home owners who were unable to make an informed decision in the past.

Here at the Swan Valley Tourist Village we were recently hit with a 15 per cent rent increase. We understood there was a proposal for a 20 per cent increase, however it seems to have been reduced to 15 per cent, a huge increase considering the consumer price index. Site-rental reviews should be fixed at a maximum of the annual CPI. Rent increase way above the annual CPI is unfair and that type of financial pressure should never be place on seniors.

Presently we are on a long-stay agreement with no fixed term giving us no security or protection. That is why we are in favour of a five year fixed term lease with an option of renewal. However their needs to be specific clauses in the Act which stipulates better protection for the tenant. For example a death clause and a reassessment clause after two years would be required to give the tenant better protection.

Eviction without any reasoning gives too much power and authority to the park owner. The Act needs to give tenants better protection through compensation payouts if eviction is forced upon.

The Legislation needs urgent attention and it needs to be amended appropriately so that as park home owners and tenants of the park we can live our lives without the fear of being evicted and left with nothing.

If the Committee requires us to give oral evidence we are happy to do so under the condition that our local Member of Parliament, Ms Rita Saffioti is present.

We urge the Committee to take note of our views and report to Parliament accordingly.

Yours sincerely

Auriel Hill
Swan Valley Tourist Village

Lennard Rance
Swan Valley Tourist Village

29 April 2009