



The Supply Charge is No More (But Watch for Rent Increases)

When DEMIRS issued a factsheet to all parks in March that clearly stated that they may not charge for the supply of electricity, it was hoped that the matter would be finalised. However, some parks, including the extensive Discovery chain, are STILL charging for supply. Furthermore, some unfortunate wording on the DEMIRS Bulletin said *the operator may choose to recover these costs through the rent*. This has been taken by some park operators to mean they are allowed to add on an amount of \$13 a month on top of the normal increase.

This is incorrect. The method of rent increase is specified in the agreement and can only be altered with a new agreement with the approval of the resident. There are only three methods of rent increase.

1. CPI based on Perth CPI as published on the government site.
2. A fixed percentage
3. A fixed amount

Only ONE method may be used (eg not CPI + 1%)

If a park operator determines that there has been significant cost increases in the park that require a special rent increase, they can ask the residents using an [approved form](#). Each resident must approve or disapprove the increase within a 28 day period. If some disapprove, the operator must apply to the SAT for the rent increase.

PHOAWA has already been alerted to situations in some parks that show some operators do not understand the rules.

What About Repayment? This is one for individuals or groups of residents. Section 12 of the Residential Parks Long Stay Tenancy Act states that residents have the right to reclaim monies wrongly paid as fees not prescribed either through a debt in a magistrate's court or via application to the State Administrative Tribunal. Some groups of residents are currently considering this. Section 19 might also apply. It states that fees wrongly

NEXT GENERAL MEETING

Wed 4th June 2024

[Wilson Community Hall, 40 Braibrise St, Wilson](#)

Starts at 11:00am

ZOOM MEETING AVAILABLE

Contact Ken Wilson on 0420208601 or email phoawa@gmail.com to book a ZOOM Meeting

paid through a mistake can be repaid through rent reductions. Consumer Protection does not have the power to force repayment. It will be necessary to negotiate or seek redress through the courts or SAT.

It is not good enough that wrongly charged fees become a debt to the resident. Many people would be reluctant to start legal action to recover the debt, even though the law says they are entitled to do it. The amount involved is not worth a lawyer bothering with and the parks know this. PHOAWA will be making representations to the Minister on this at our first meeting.

Hon Dr Tony Buti is the New Minister for Commerce

Hon Dr Buti replaces Hon Sue Ellery as Minister for Commerce. This portfolio oversees DEMIRS, which handles legislation over Long Stay Parks and Consumer Protection. PHOAWA will meet with Dr Buti on a regular basis. I note with optimism that Dr Buti is also the Attorney General, a link that may help short circuit some of the loopholes appearing in our current legislation.

PHOAWA Web Site

Web Site Traffic is up 92% with 653 visits from 353 visitors. Remember that many of the questions people ask are already answered in the resources section. With 50% of the access being through mobile phone, we may have to tweak the site a bit to make it more mobile friendly.

Review of Regulations 2025

This year sees a review of the Regulations stemming from the Residential Parks (Long-stay) Tenants Act 2006 (RPLST). The review process has already commenced, with the PHOAWA Board meeting with DEMIRS and considering a list of review topics. The Caravan Industries Association are also consulted in this process.

The review will cover such issues as rent increases, sale of park homes, park rules, PLCs, Long-stay agreements, park operator behaviours, tenant behaviour, dispute resolution, park closure, compliance and enforcement, and fees that may be charged.

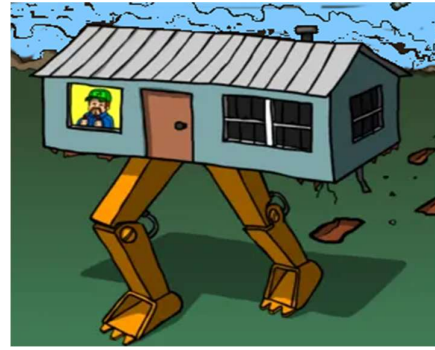
This is a review of the Regulations, not the actual Act. The Regulations can be changed, but any changes must be in line with the Act.

I think it is safe to assume the Caravan Industries Association will call for a return of the Electricity Supply Charge. PHOAWA will be resisting that. Even if it is reinstated, it is unlikely to return before mid 2026.

An area that does need addressing is that of residents' right of refund for wrongly paid fees or charges. The current Regulations acknowledge that right but leaves it up to the resident to recover the debt. This is too difficult for many residents.

Another area that seems too complex and unworkable in many parks is the PLC. At present, the onus for the creation and running of a PLC resides with the park operator. Yet the Regulations do not carry any provision for the operator to take any notice of the PLCs wishes.

Elon Musk is rumoured to be building park homes.



Membership Renewal

PHOAWA Membership has increased this year. A big thanks to those members who have promoted membership around their park. Our wonderful park reps continue to do a great job of forwarding memberships or helping others who want to join.

Membership runs from July 1st to June 30 but renewals for 2025/26 can be done anytime now.

Renewal by Web Site (Paypal or Credit/Debit Card), Cash using form or some park reps will collect in person.

Please note that on-line payments do not receive a receipt from PHOAWA. You still get a receipt from Paypal or your payment method.

THE MORE MEMBERS, THE BIGGER THE VOICE

PHOAWA MEMBERSHIP APPLICATION OR RENEWAL

NAME(S): _____

PARK: _____ SITE: _____

OR POSTAL ADDRESS _____

PHONE: _____ EMAIL ADDRESS: _____

NEW MEMBER? **Yes / No** SEND NEWSLETTER BY EMAIL? **Yes / No** FACEBOOK GROUP MEMBER? **Yes / No**

PAYMENT METHOD (\$10 Per Year July 1 to June 30)

☐ Cash

☐ Cheque (Payable Park Home Owners Association)

☐ Bank Transfer Reference _____ (Include Name and Park)

Bank Details: **BSB: 633-000 A/C: 223 183 781**

Please send this to either:

- Your Park Representative
- By Email to phoawa@gmail.com with details in the email or as an attachment.
- By mail to Park Home Owners' Association, PO Box 1648, Wangara, WA 6947
- Online through our website <https://www.parkhomeownerswa.com.au/membership-form-1>

Many thanks. If you have a query, contact Ken Wilson (0420208601) - Treasurer