



HOUSING FOR THE AGED ACTION GROUP INC.

# CARPAV

## Connections

### June 2014 Issue 6

#### Utility charges

Under the *Residential Tenancies Act 1997* it states that site tenants, who own their moveable dwelling but lease/rent the site on which it stands, are responsible to pay all charges made for the supply or use of electricity, gas, water, drainage and sewerage to their site - if the site is separately metered.

The site owner, usually being the owner of the park or village, is responsible for:

- a) the cost of installation in relation to the initial connection of utilities to the site,
- b) the cost of all services to the site if the site is NOT separately metered,
- c) all charges arising from water supply to a separately metered site that are NOT based on the amount of water supplied or used, and;
- d) all charges related to the supply or use of sewerage and drainage services to a separately metered site that are NOT based on the extent of use of the services.

In the case of electricity charges within residential villages an embedded network is where electrical infrastructure is privately owned and managed by the park/village operator. The operator acts as the seller or distributor of electricity to his or her site tenants.

What this means is that site tenants will not have a choice between electricity suppliers.

The Essential Services Commission (ESC) regulates the electricity charges of embedded networks to a degree, by providing maximum charges allowable by operators.

Fortunately operators must ensure they do not charge site tenants more than what they themselves are being charged by their supplier. Unfortunately this is difficult to assess as the information is difficult to obtain from the supplier.

Unfortunately what this also means is that protections for site tenants are limited being the third party in this arrangement. If a site tenant feels electricity charges are excessive or incorrect they are unable to access the Energy and Water Ombudsman (EWOV) scheme as someone paying directly to the supplier can.

NOTE: This is a general guide to the law only and does not constitute legal advice.

Housing for the Aged Action Group  
1st Floor, Ross House, 247-251 Flinders Lane, Melbourne VIC 3000  
Admin: 9654 7389 . Fax: 9654 3407  
Email: haag@oldertenants.org.au . Website: www.oldertenants.org.au