



HOUSING FOR THE AGED ACTION GROUP INC.

Residents Committees in Caravan and Residential Parks and Villages Report

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existing TOGETHER

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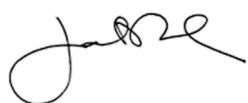
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Janet Reid
Project Officer
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INTRODUCTION

We have an ageing population. A population that spent much of their working life believing that the pension would be able to support them in their older years or the superannuation they had been collecting would sufficiently cover their living expenses in retirement. When the Global Financial Crisis occurred and much of their savings or superannuation was compromised combined with the fact that the government could not sustain the old age pension for the large Baby Boomer population, suddenly plans for golden retirement seem distant.

For many people one solution to future stability and financial freedom is purchasing a home in a Caravan or Residential Park or Village. These parks and villages provide homes in a community setting that offers affordable retirement and lifestyle. Owners purchase the dwelling and rent the land, requiring a lot less up front finance and the ability to claim rent assistance from the government. As this type of accommodation began to expand, issues arose as legislation did not offer much security or clarity for residents. This project comes out of a long history that Housing for the Aged Action Group has working with older people's housing options and rights.

HOUSING FOR THE AGED ACTION GROUP

Housing for the Aged Action Group (HAAG) is a not-for-profit member based organisation that assists older people on low incomes, holds regular general meetings, has an annual state-wide forum, visits country regions of Victoria, conducts research, runs campaigns, and meets with government representatives on critical housing issues for older people.

HAAG offers free and confidential advice to vulnerable and disadvantaged older persons who have little to no income/assets, and works towards the alleviation of housing related poverty for older Australians.

HISTORY OF THE PROJECT

HAAG has been working intensively on problems concerning caravan and residential parks for many years due to contact from large numbers of residents who have sought personal assistance and support on a range of issues. The transformation from a string of individual complaints to mass action happened when two major changes occurred: Firstly, a few courageous residents decided that 'enough is enough' and took a legal stand to exercise their rights, and secondly, the emergence of a new form of purpose-built residential park for retirees raised widespread alarm amongst residents about a lack of secure tenure. These factors brought matters to a head in June 2005 when HAAG convened a forum attended by 100 older residents of caravan and residential parks. As a result of this forum a report was produced in March 2006 called *Living in Limbo*¹, which documented the proceedings and outcomes of the forum.

One of the outcomes of the forum in 2005 was a decision that HAAG should organise a working group of residents to lobby for law reform governing caravan and residential parks. The Caravan and Residential Parks and Villages Working Group (CARPAV) formed and have met monthly since that time, growing to over 135 members statewide who continue to work towards changes that will improve the rights and well-being of older people living in this form of accommodation.

The CARPAV working group identified the most significant problems such as security of tenure, affordability and resident participation in management matters. They have been vividly

described and represented at many meetings and delegations to Consumer Affairs Victoria (CAV) and other government bodies. Members of the CARPAV working group from Federation Village, Werribee formed a residents committee which was awarded the Metropolitan Consumer Advocacy Excellence Award 2007 by CAV for their outstanding work as a committee and the example they provided for other residents groups.

In 2007 HAAG submitted a report, as a response to the CAV Residential Accommodation Issues Paper² addressing these issues and calling for legislative reform. In 2008 CAV distributed an Options Paper³ asking for responses from housing agencies regarding legislative change to protect people living as permanent residents in Caravan and Residential Parks and Villages.

HAAG and the working group submitted a detailed response highlighting the need for:

- Security of tenure
- Internal dispute resolution procedures
- Resident participation in decision making
- Contractual issues relating to resale and disclosure conditions

Government listened and as of 1 September 2011 the Residential Tenancies Act 1997 (RTA) saw the inclusion of Part 4A⁴, amendments aimed specifically at owner/renters whose permanent residence is the caravan or residential park or village, now also known as Part 4a parks.

One of the changes to legislation was the right to participate in a Residents Committee section 206ZZB, in which it states: 'A site tenant is entitled to participate in any site tenants' committee formed in respect of a Part 4A park of which he or she is a site tenant'.

In the past, residents (also called site tenants under Part 4a) who wanted to form a committee had no support and often found themselves isolated or even intimidated by owners or managers and sometimes other residents, who felt a residents committee would cause trouble. In a previous research report undertaken by HAAG, 'Caravan Parks and Villages'⁵, it was clear that individual residents often felt intimidated to address issues in their park and 'felt they had a right to contribute ideas for solutions to the problems or improvements.'⁵

With the legislative change, HAAG recognised that many parks and villages did not have a residents committee and many site tenants were unaware of their right to form a committee. In response HAAG created a Residents Committee Toolkit to help inform, support and guide residents through the process of forming and maintaining a committee, and work began to educate permanent park and village residents. It was realised by HAAG that this information and education process required more focused attention than resources at the time were able to provide and it required input from residents. As a result a project was proposed to begin documenting the value and need of resident's committees.

As residents, owners, managers and agencies work to begin to incorporate the legislative changes into their living, this report comes from a need to evaluate the value of Residents Committees, the barriers they face and the resources they need to be effective and sustainable.



WHAT IS A RESIDENTS COMMITTEE?

A Residents Committee is a group of residents, nominated or elected by fellow residents, to represent their interests and carry out certain functions in a voluntary capacity.

- Improving lifestyle of residents.
- Provide a channel for communication between residents and park/village operators.
- Presents resident complaints, concerns and proposals to the park/village operator.

While there are no set rules, a residents' committee can provide:

- Information to members and other residents about matters relevant to the park/village.
- Advice and support to residents who have a particular issue.
- Dispute resolution services if a resident has a complaint with a park/village operator.
- Other services it thinks are appropriate, such as communication protocols to engage with park/village owners/operators.

A committee is:

- Usually made up of 3-12 people.
- Meets regularly.
- Makes decisions about the direction of the group.
- Liaises between park residents and the park/village operator.
- Shows leadership and collective responsibility.
- Deals with resident issues.

THE PROJECT - GOALS AND OBJECTIVES

Awareness

The project aimed to distribute information about the right of site tenants to establish residents' committees and to provide practical support to residents' groups who were interested in forming a committee.

- Inform residents about the changes to legislation.
- Ensure residents in parks are provided with copies of the residents' committee toolkit.
- Document issues and concerns raised by residents at meetings in relation to forming residents' committees and general park living.
- Connect residents to HAAG and its parks and villages working group for ongoing support and assistance with the establishment of residents' committees.
- Support for Residents Committees and individuals in parks.
- Bring awareness to government and stakeholders of issues for people living in parks.

“Usually if you can get everyone around a table most things can be worked out”

Keith Sykes, CAV Manager Residential Accommodation.

Research

As the right to form a Residents Committee is a new part of the RTA, it was observed in HAAG's connection with residents that very few villages and parks have a residents committee. Determining the value of forming a committee and what ongoing support is required for residents needed to be identified. What stops committees from forming, or causes them to discontinue? What are those barriers and are they able to overcome them? In overcoming barriers what resources are needed to ensure sustainability and effectiveness?

Mapping

There is a need to identify parks with permanent residents in them so as to ensure available support and information is given to residents. The Australian Bureau of Statistics in the Census process does not allocate the option of owner/renter or residential park living so it is up to individual park/village owners to give that information to their local council.

METHOD

Participatory action research was undertaken by working closely with the target group of permanent residents who have contributed to defining the issue and identifying possible solutions through discussion of their experiences. This method was used because it is particularly suited to projects wanting to understand the experiences of the participants.

The research activities were conducted over a period of four months with a specific focus on the rural region of Gippsland and the Southern Metropolitan region. Both these areas were chosen because of the high population of over 55's and the presence of permanent residents in caravan parks and villages that were part of the HAAG Caravan and Residential Parks and Villages working group (CARPAV).

Individual interviews with residents, resident committees, owners and managers of parks were all conducted with the following open ended questions.

- What is the value of residents committees?
- What barriers do residents committees face in starting and maintaining?
- What resources do residents committees need?
- If you had advice for a group of residents wanting to start a committee what would it be?

Confidentiality

Maintaining confidentiality amongst the participants was one of the major challenges of the project, particularly as interviews were conducted with people in local communities where the networks and associations between people and places are well known. As a result many of the existing parks in this study have not been overtly identified due to the difficulty in maintaining confidentiality. Similarly, individuals have not been identified to protect the privacy of those who often expressed forthright opinions and views.

However, it is acknowledged that it is difficult to provide anonymity to all the individuals interviewed who live in small communities, even if they are not named.



PERMANENT RESIDENTS IN CARAVAN AND RESIDENTIAL PARKS AND VILLAGES

Finding out where permanent residents reside that own their dwelling but lease the land on which it stands, is a very difficult exercise. In the 2011 Census there is a classification of people living in Residential Parks which reflects an estimation that across Australia, one per cent of people or 112,350 people, lived in dwellings being rented through a 'Residential Park' (includes caravan parks and marinas)⁵. In the report 'Older People, Australia: A Social Report'⁶ it was estimated that one per cent of people aged over 65, or 16,200 people, were usual residents of caravans, cabins or houseboats (note this does not include manufactured homes otherwise called moveable dwellings).

As tenure is often unclear residents generally see themselves as home owners, but to be reflected correctly in the Census they would need to be identified as renters. Local councils are supposed to record the number of permanent residents at each park but when contacted no council actually revealed this information. Residents can live in Caravan Parks that may only have a few permanent sites and often are overlooked as renters or holiday makers.

There is a need to document actual numbers of permanent residents in parks to ensure these residents are able to access the support and information they require.

This project was a pilot focusing on one regional (Gippsland) and one metropolitan region (Southern Metropolitan Region) within Victoria.

Victoria

Victoria has a population of 5,354,042 with 1,372,829 over 55 years of age which is 26% of the population. It is estimated that 16,725 people live in Caravan & Residential Parks, many of them over 55 years of age.⁷



Age	Males	Females	TOTAL
55-64	298,224	313,023	611,247
65-74	194,910	207,316	402,226
75 +	149,631	209,752	359,356
<i>Total over 55</i>	<i>642,765</i>	<i>730,064</i>	<i>1,372,829</i>
<i>Total Victorians</i>	<i>2,632,619</i>	<i>2,721,423</i>	<i>5,354,042</i>

Southern Metropolitan Region

The Southern Metropolitan Region serves a catchment of 1.2 million people and covers ten Local Government Areas. Seven parks in the Southern Metropolitan region were visited. According to information from the HAAG Caravan Park and Residential Villages directory, CAV parks listings and local council lists, the following information was compiled.

- 74 parks in total
- 14 parks identified by the project had Permanent Residents
- 5 of those have Residents Committees

Due to the large area of the region and the limitation of time the project focussed on the Mornington Peninsula because it has the largest number of Caravan Parks and Residential Villages. Of the 7 parks/villages we visited in the region, 5 came from the Mornington Peninsula Shire.



Mornington Peninsula

The Shire is an urban and rural area, with resort towns, tourist development and some commercial, industrial and port areas. The Shire is one of Melbourne's major holiday and retirement areas. The Shire encompasses a total land area of about 724 square kilometers, including over 190 kilometers of coastal boundaries. The majority of the population is clustered along the coastline of Port Phillip Bay, between Mount Eliza and Dromana. Many beach holiday resorts are based along the Port Phillip coastline, with the population swelling by up to 30% in the summer months. Much of the rural area is used for farms, orchards and market gardens.⁸

The Shire has a long history of providing accommodation through caravan and residential parks/villages, and has invested Shire resources in ensuring residents are protected through local laws and community development initiatives.

Government Area	Population	Over 55's	% of over 55's	No. Of Parks
Mornington Peninsula	271,064	82,365	30%	49

5% of Victoria's population lives in the Mornington Peninsula.

According to the above mentioned information sources:

- 11 parks have Permanent Residents
- 4 parks/villages have Residents Committees

889 people live in residential parks/villages on the Mornington Peninsula according to the 2011 Census data classified 'as dwellings being rented through a 'Residential Park' (includes caravan parks and marinas)⁹

Gippsland Region

The Gippsland region stretches along the east coast of the state and covers 41,538 square kilometers, representing over 18% of the landmass of Victoria. It has a population of 240,114, representing 5% of the Victorian population. Gippsland covers six local government areas. The region encompasses a broad range of agribusiness including agriculture, forestry, fishing and processing as well as tourism due to the extensive natural heritage comprising of snow-fields, wilderness areas, rainforests, extensive lakes and beaches. Some of the State's best land and marine parks are in the region such as the Alpine, Wilson's Promontory, Tarra Bulga and Croajalong National Parks.¹⁰



The number of people aged over 60 is projected to grow significantly by 2026. More retirees are already moving into the holiday homes they own particularly in the Bass Coast Shire. Recent surveys indicate that around a third of non-resident ratepayers plan to move to their holiday house in coming decades. This will place pressure on townships with a high non-resident base.¹¹

Each local government area was contacted to provide the location and details of the parks in their area, two councils felt that this information was private and not to be given out. It is required by law for each council to keep a list of registered parks and how many long term sites they have.

Government Area	Population	Over 55's	% of over 55's	No of Parks
Bass Coast	29,614	10,203	34%	29
South Gippsland	27,210	9,590	35%	14
Baw Baw	42,865	12,942	30%	n/a
Latrobe City	72,396	20,401	28%	n/a
Wellington	41,334	13,081	32%	24
East Gippsland	42,195	16,721	40%	59
<i>TOTAL Gippsland</i>	255,614	82,938	32%	145

5% of people in Victoria live in the Gippsland region.

According to the above mentioned information sources:

- 145 Caravan & Residential Parks/Villages in total
- 5 parks have Permanent Residents
- 2 parks have Residents Committees

1282 people live in Residential parks/villages in the Gippsland region according to the 2011 Census data as dwellings being rented through a 'Residential Park' (includes caravan parks and marinas)¹²

RESIDENTS AND TYPES OF PARKS & VILLAGES

Caravan and residential parks/villages are made up of a wide variety of residents, environments and style of accommodation. As awareness and research were part of the project objectives it was important to gather information from all types of parks and situations. Individuals from the CARPAV membership list were contacted to be interviewed as this was a natural way to meet residents and management. As the project progressed other parks were also contacted to ensure there was a representation of different styles of park/village living in the research.

Park and Village residents are made up of the following:

Resident Type	Definition
Permanent Residents (including site tenants)	Residents that own their dwelling and rent the land. This is their primary residence. The RTA states: <ul style="list-style-type: none">- Fully or partially owned by a site tenant.- Designed, Built or manufactured to be transported for use as a residence, (not including a typical caravan).- The site tenant's main home (not a holiday home)- In a park on a rented site (not in a park on Crown land)
Annuals	Own the dwelling and rent the land but only reside at the park for a limited amount of weeks in a year. This is not their primary residence.
Short Term Renters	Residents who stay for short periods of time.
Permanent Renters	Residents that rent their dwelling and land. This is their primary residence.
Holiday Makers	People visiting for a holiday.

A person is not a site tenant if they:

- Rent both the dwelling and the land.
- Only use the site for holidays.
- Are renting the site under an employment agreement.
- Live in a park on Crown land, or
- Live in a modified caravan or caravan with additional structures such as an annexe.



Different Types of Parks and Villages

There is a variety of parks and villages and each type of accommodation is unique to its location, demographic and style of living. Basically parks can be described in the following way:

Caravan Parks or Multi-Purpose Parks - traditionally parks that tourist and holiday makers visit with shared facilities for leisure use. Caravan Parks can consist of the following:

- Tourists only
- Tourists and Annuals
- Tourists, Annuals, Permanent Residents
- Tourists, Annuals, Permanent Residents and Renters

Residential Parks - Parks that have a mixture of relocatable homes, modified caravans that have built structures (i.e. pergolas, carports, annexes) around them and some cabin type dwellings without bathroom facilities. Residents can be made up of:

- Permanent Residents
- Permanent Residents and Annuals
- Annuals, Permanent residents, Short and Long Term Renters

Residential Village - Purpose built village that has only permanent residents that live in relocatable, manufactured homes.

Management Structures

As each park and village is different so are the management structures within them. Parks and villages can have the following type of management structures in place.

- Owner - owner of the land and business. Owners can often own some of the moveable dwellings as well and rent them out to holiday makers or renters.
- Manager- Employed live-in managers who run the park.
- Caretakers- employed to do maintenance and/or landscaping within the park
- Owner/Manager- Owners of the land who also manage the park.
(Often live within the park.)
- Lease Holder- Business owners who own and run the caravan park business.

It is important to understand that the management structures are fundamental in the way in which the park or village runs and has significant effect upon permanent residents. For some permanent residents they have to negotiate with the owner, the manager and a caretaker. If there is tension or a clash of objectives with all or any of those individuals it can become very difficult for permanent residents to enjoy their day to day living.

Security of Tenure

The biggest concern residents had was their security of tenure. Almost all residents commented on the importance of having a secure lease with long term leasing arrangements for permanent residents such as having a set period of tenancy indicated in their agreement/contract that is a fixed term lease i.e. 10 years. A periodic lease is where there is no set term and the tenancy is dependent upon how often the payment of rent for the site is made and continues indefinitely.

As previously mentioned, each park varies in the way they operate and they have an assortment of residential situations. This variation is also reflected in the different type of lease agreements. Parks can vary from no lease to 99 year leases and everything else in between. It was interesting to note the correlation between resident/management relationships, residents committees and the security of tenure. See Appendix 1

- 4 out of the 5 parks with no residents committee had no long term lease agreements
- 5 out of the 8 parks with residents committees had 5 year or more lease agreements

COMPARATIVE REVIEW - RESIDENTIAL PARK/VILLAGE LEGISLATION IN OTHER STATES

As this type of accommodation continues to increase other states have acknowledged the need to reflect this specialized living arrangement through establishing new legislation. Four states have created a specific Residential Parks Act to clarify the responsibilities and rights of residents, managers and owners. In regards to residents committees 5 states have acknowledged the right to form a residents committee or a park liaison committee and in South Australia the Residential Parks Act 2007, actually recognises the resident committee as a legal entity able to apply to the Tribunal as a group if park rules are considered unreasonable.

‘(1) An application may be made to the Tribunal to declare a park rule for a residential park unreasonable if a joint application is made by residents from a majority of the occupied sites in the park.’

Residential Parks Act 2007, SA (p13)

State	ACT	Residential Committees specified in ACT/Legislation
NSW	Residential Parks Act 1998	Part 7 Community aspects of residential park living 66 Park Liaison Committee
NT	Caravan Parks Act 2012	No
QLD	Residential Parks Act 2003	Yes, Part 15 - Home Owners committees
SA	Residential Parks Act 2007	Yes, Part 2 - Park rules and residents committees
TAS	None	No
VIC	Residential Parks Act 1997	Yes, Division 8 206ZZB Participation in site tenants' committee 206ZZB Site owner's duties to site tenants' committees
WA	Residential Parks Act 2006	Yes, Division 2 - Park Liaison committees 59. Establishment of park liaison committee 60. Constitution of park liaison committee 61. Functions of a park liaison committee

FINDINGS

In order for this project to reflect accurately the values, barriers and resources of residents committees, it was important to interview residents, owners, managers and stakeholders within caravan and residential parks and villages.

See below for the breakdown of visits and interviews:

• Parks/villages Represented	14
• Parks/villages Visited	13
• Individuals interviewed	18
• Residents Committees	7
• Managers	4
• Managers/Owners	3
• Owners	2
• Stakeholders	13

Residents were interviewed from all types of parks/villages and covered the assortment of tenure situations. After an information session on Part 4a legislation changes many residents put their names down on HAAG's mailing list and joined the CARPAV working group. Those residents within the project regions were contacted and asked if they would like to participate in the project. There were 12 parks/villages in the highlighted regions represented on the CARPAV working group list. Out of those parks all but two were represented in this project. 3 other parks outside of the CARPAV working group were contacted to ensure representation from all types of parks and environments.

Of the 14 parks/villages represented:

- 5 already had Residents Committees
- 6 didn't not have Residents Committees and did not foresee having one
- 3 were interested in starting a committee and wanted assistance from HAAG to do so.

Value, Barriers and Resources

Each different group and individual was asked basically the same questions:

- What is the **VALUE** of residents committees?
- What **BARRIERS** do residents committees face in starting and maintaining?
- What **RESOURCES** do residents committees need?
- If you had advice for a group of residents wanting to start a committee what would it be?



‘You have to have thick skin when you are starting a residents committee, you have to have a team around you and stick together in order to see things get done’ said Willow Lodge committee President Eunice Walters. The Willow Lodge residents committee has been functioning for over 18 months and has achieved numerous accomplishments in the village in that time. Developing an emergency support system for residents who may need help in the event of an evacuation or emergency in the park and publishing a monthly newsletter to connect residents are just a few of the initiatives the residents’ committee has made happen. But it wasn’t always smooth sailing. The committee started with the encouragement of management but it has taken some time to establish procedures and communication channels. The committee has also involved local council and other community groups within their park to help residents feel connected to their community. Willow Lodge is one of the largest residential villages in the state with 410 dwellings and over 600 people.

Resident Voice- Parks/Villages with Residents Committees

Of the 13 parks visited, 5 of them had Residents Committees in existence before the changes in legislation. Of the 18 individuals interviewed 2 lived in parks with a residents committee.

- 3 of the 5 committees existed because the owner started them as a form of best practice.
- 3 of the 5 have had support from HAAG either with forming, maintaining or information sharing.
- 3 of the parks had committees that had been shut down and then started up again.
- 2 have a Conflict Resolution process for residents through the Residents Committee
- 3 of the 5 had leases of more than 5 years (1- 30 years, 1-99 years)

One committee was instigated by the owner because he was “sick of dealing with the multitudes” and felt a committee would help streamline the issues. Most committees had a process to deal with complaints/suggestions from residents and involved management. None of the Residents Committees deal with resident to resident disputes.



Values, Barriers and Resources

Residents views regarding values, barriers and resources of residents committees.

Values:

- Unites people towards gaining secure tenure
- Helps make management accountable
- United front to get things done in park, developed communication channels between residents and management.
- Helps get things done in the park, keeps communication going among residents
- Good Neighbour initiative helps management, helped make improvements in the park
- Lots of expertise in the community, builds community, proactive, helps management, welcomes new residents,

Barriers:

- Management Attitudes, resident committee not recognised as a group, other residents afraid it would cause trouble
- Management attitudes and lack of training of management
- Management Attitudes
- We have a great committee so no barriers identified

Resources:

- Outside resources such as HAAG and CAV if you don't have support of management
- Skills for people running the committee
- Resources: room to meet, skills to run a group

Advice:

- Just do it! Stick together. It is hard work at first but it does get easier
- Must be inclusive
- Encourage local council to be involved and make connections
- Training and accreditation is need for Owners and managers



Residents Voice - Residents committees; who started because of the project

Residents on the CARPAV working group mailing list were contacted during this project and asked if they had a residents committee and if not would they like more information about starting one. Of the 10 parks contacted 3 indicated they would like help starting a residents committee. One of the parks had a residents committee but it had basically stopped functioning and one of the former members Jean Harper, was keen to see it start up again. Jean says 'People should be able to exist together, not live together but at least exist together' and feels a residents committee would help reopen the lines of communication.

Residents views regarding values, barriers and resources of residents committees.

Values:

- Build community, help improve the park
- Unite the residents
- A good way to build community, get things done around park, help make management accountable for issues in park

Barriers:

- People don't know each other, no one wants to be on the committee
- People are afraid of making manager/owner angry
- Apathy
- Having the wrong people on the committee
- Fear they will be labelled trouble makers, fear of being evicted
- People don't know each other, no one wants to be on the committee

Resources:

- Organising people initially, helping establish group
- Support in getting one started, outside influence to witness behavior of owner
- Help getting it started

Of the 3 residents committee's started because of the project, 2 started with the support of management. The process for each of these committees follow the pattern of group formation identified by Tuckman's group development of Forming, Storming, Norming, Performing.¹³

Forming occurred as residents met for the first time and began the task of getting to know each other. It was tentative as they assessed the validity of the group, resistance from management and acceptance of others. This stage was preceded by meetings held for all residents to discuss the feasibility of having a committee. It was the second phase, storming, that needed the most support as residents began to express their thoughts and personalities. Decisions about who was going to lead the group, prioritising issues within the park, personality differences and experience working within a committee structure were all part of the storming phase of the group. Support from HAAG workers was vital at this stage to ensure the group moved forward. As the groups are still quite new, the next stages of norming and performing have yet to be displayed. It was observed the existence of park issues provided focus to a committee as they identified a unified goal and developed a strategy to tackle the issues, which clearly forms part of the forming stage. Residents are still getting to know each other so the groups seem to vacillate between storming and forming. Park issues require a unified effort but the lack of relationship between residents made unification challenging.

Residents Voice - Parks/Villages with No Residents Committee

'You have to weigh up the benefits of a Residents Committee versus the path of resistance'. This is a quote by one of the residents from a park that does not have a residents committee. A group of residents from his park had attended an information session held by HAAG and CAV about the changes in the legislation. The suggestion of forming a residents committee was put forth and a small group of residents were nominated to develop the process. A week later two of those nominated found themselves served with a Notice to Vacate. This caused a reaction of fear and concern by many residents and talk of starting a residents committee soon dispelled.

Residents views regarding why they do not have a residents committee.

- Residents can't be bothered.
Small group and basically a good relationship with owner
- Don't need one. Good relationship with owner so we just go to him if needed.
- People aren't bothered.
No need, just go to management if need something done.
- It is too volatile and management will just get upset. Have decided to have an informal group that meets regularly to communicate things to residents. Manager attends.
- Management doesn't agree with RC and residents worry they will get a NTV

VOICE OF THE OWNER/MANAGER

"There will always be a form of tension between residents and owners because they have different agendas - for residents the park is their home, while for owners it is their business"

Shanny Gordon Retirement Housing Information worker for HAAG

In visiting different parks/villages it became apparent that the relationship with management was a crucial one for residents. In meeting with owners and managers it was interesting to note that both sides wanted harmony, especially in regards to the managers. Of the 9 owners and managers interviewed, only one had the attitude of 'if you don't like it there is the door', his quote being "I make it easy to get into the park and easy to get out, there are no gates on this park so you are free to leave if you don't like it".

10 owners/managers were contacted and only one owner/manager would not respond to any correspondence.

- 2 were Owners
- 4 were Managers
- 4 were Owner/Managers

3 were owners/managers of parks/villages that had a Residents Committee.

6 were owners/managers of parks/villages that did not have a Residents Committee.

1 was a manager of a park that had a committee start during the project.

Management Voice- Parks/Villages with Residents Committees

James Kelly, part owner of Lifestyle Communities, says 'It's just good business to have a residents committee'. Lifestyle Communities has 7 Over 55's living communities in Victoria and it is part of their practice to start and support residents committees. Lifestyle Communities sees themselves as 'partners with residents....it's their village, their community, we are just behind the scenes' and helps start committees as soon as a new village is established. James was honest in saying he had learnt from experience what can happen when you aren't proactive in encouraging a residents committee and in the end it is much more effective to start one on a positive community building initiative than on a negative issue.

Brad Wilcox owner and manager of Peninsula Parklands agrees and has a residents committee he relies on to bridge the gap between home owner and business owner.

"If you have good will and good dialogue things can be sorted. You need to have both. You can have all the dialogue in the world but if you don't have good will you won't get far".

Owner and Manager of Peninsula Parklands, Brad Wilcox.

Owner/manager views regarding values, barriers and resources of residents committees.

Values:

- It's just good business
- Best way to communicate opportunities and concerns of residents
- Welcome new people
- Cares for others in the community
- Resident committee allows manager to get on with the job of managing park
- Saves management time and lots of individual complaints
- Helps with communication
- Helps get things improved around park

Barriers:

- If committee is started on a negative it can create an 'Us and Them' mentality
- Not any they could think of – they try and avoid placing rules or barriers on people so there are rarely any issues
- Wrong people on the committee
- Formed out of a negative instead of a positive
- Done too quickly without time for people to adjust and get on board

Resources:

- Room to meet
- Necessary information- RTA and CAV info
- Clear line of communication to management

Advice:

- Have a clear structure for handling complaints and concerns
- Find a good leader and stick to the agenda
- Keep it simple!
- Don't get involved with running the place, have clear understanding of your purpose and intent.
- Would be good to see a seminar/workshop for residents committees - how to run, conflict issues etc...
- Needs to represent all residents not just a few
- Needs to have the support of the majority of residents
- Don't vote people on, cannot let people on committee who have an axe to grind
- Put together slowly,

Management Voice- Parks/Villages with no Residents Committee

*'Be good to your neighbour and they
will be good to you'*

Glenvue Holiday Park owner Jeff Flynn.

Jeff Flynn has a park of 149 sites with about ⅓ permanent residents. In the 40 years Jeff's family has been operating, they have only been to VCAT twice. "If you live here it is your home, do with it as you like as long as it doesn't affect anyone else". Jeff would be happy for a residents committee to function at his park but there just doesn't seem to be a need for one. Margaret Hughes manager from Coalfields Caravan & Residential Park has a similar attitude. In speaking to Margaret you could tell her background in hairdressing had prepared her for dealing with a wide variety of people and the residents of Coalfields confirmed that. John, a resident of Coalfields, says of Margaret and Peter Hughes 'They are the best caravan park people we have ever met. We have been all over Australia and stayed in a lot of places, Margaret and Peter are the best'

Unfortunately not all Owners and Managers are as pleasant to deal with. In visiting numerous parks the feeling of fear amongst the residents was almost tangible. One resident kept checking out her window to see if the 'Gestapo' (the owner/manager) was driving by to see why a strange car was in the street. At other times interviews were conducted off site so as not to cause trouble between the manager and residents.

Of the 5 parks without a residents committee:

- 2 had volatile relationships with management
 - ◊ Owners did not believe in Residents Committees
- 1 had good relationships with management
 - ◊ Residents were afraid a residents committee would upset the relationship they had with owner.
- 2 had excellent relationships with management
 - ◊ Both owners/managers supported the idea of a residents committee, there just didn't seem to be a need or desire for one from residents.

Owner/manager views regarding why they do not have a residents committee.

- Power goes to people's head
- Caused a lot of trouble in the past
- Cumbersome way for bringing grievances or request to the attention of management
- Previous experience of a residents committee -disastrous results!
- Committee doesn't communicate to management
- Chinese whispers- misinformation and personal agendas can get spread
- Individuals use residents committee as a platform to complain
- Takes away from people dealing direct with management
- People cant be bothered
- No need- good relationship with residents
- Lack of interest from residents
- No need- good relationship with residents
- Happy to have a committee- just don't want to have to organise it myself

Management Voice - Parks/Villages that had a Residents Committee start during the Project

During this project 3 parks/villages were supported in starting a Residents Committee. At the first meeting of all residents at one park the manager was acknowledged and asked if he would like to say anything. "I've been wanting this to happen for years" he said and the group of 80 plus residents clapped. Ray Palmer, manager of Chelsea Discovery Park also looks forward to working with the newly formed Residents Committee. Chelsea is made up of permanent residents, renters and a few holiday caravans and the committee is made up of permanent residents including permanent renters- people who have lived in the park for over 12 months. This ensures the community is well represented.

VOICE OF THE STAKEHOLDER

Consumer Affairs Victoria (CAV) has been involved in helping residents, managers and owners adjust to the changes in legislation. CAV workers have been visiting parks all over the state to inform managers/owners about the changes and help bring clarification to how these changes affect people living and working in Caravan & Residential Parks and Villages.

Chris Childs, Regional Coordinator, observed that security of tenure is the biggest issue for people and without it residents can be very anxious. Chris visits parks all over the Gippsland area and feels there are great benefits to having a Residents Committee. Ms Childs says, 'It is a great conduit for information sharing, for park improvements and for support. People should ask if there is a residents committee before they buy into a park and if not find out why they don't have one.' Another CAV worker Keith Sykes who works with residential disputes, says 'usually if you can get everyone around a table most things can be worked out' For many individuals resident committees help provide a 'table' for whole park/village issues to be discussed.

When speaking to agencies that worked with residents in parks/villages, most identified that it was important to provide skilling amongst residents to handle the task of running a committee. Many found the lack of experience residents had in running a committee meant the committee needed outside support and in some communities that is not available.

Of the 13 Stakeholders interviewed the following was said about the value, barriers and resources needed of a residents committee.

Values:

- Community building, strength in numbers
- Works well for both residents and owners
- Can support the individual gives them encouragement and helps them feel confident in exercising their rights

Barriers:

- Lack of Skills for running a committee
- Succession plan for ongoing committee members
- Committees not having the right information and passing that wrong information on to residents
- Wrong people on the committee
- Business owners filter everything on how it will benefit their business
- Fear on both sides
- Lack of understanding of the law
- Fear of retaliation
- Lack of skill

Resources:

- Need a champion to help lead things
- Need a 'champion' resident who will drive it through to existence
- Training is needed for managers of parks
- Training for managers and owners

Advice:

- Be clear about what you want to achieve
- Start small and let it grow
- Include everyone
- Make sure it represents all residents

It is interesting to note that almost all stakeholders mentioned the need for training amongst managers and owners.

*“It is a great conduit for information sharing,
for park improvements and for support.
People should ask if there is a residents
committee before they buy into a park and
if not, find out why they don't have one...”*

Chris Childs CAV Gippsland Regional Coordinator.

EVALUATION

Evaluation surveys were distributed to the three parks/villages that received assistance in setting up and starting a residents committee. Evaluation is important as it will help identify areas of need for residents committees and possibly confirm findings from the research.

Each residents committee member was given a questionnaire that could be filled out anonymously with HAAG stamped self-addressed envelopes to ensure their anonymity should they want it.

On a scale of 1 to 10 please indicate your answers					
1=Strongly Disagree 10=Strongly Agree					
Question	6	7	8	9	10
I felt information sessions regarding the start up of a residents' committee were tailored to the needs of our specific park/village.		18%	27%		55%
The process was inclusive of all residents living at the park/village.			18%	36%	45%
<i>The HAAG Residents committee guide and toolkit</i> was a valuable resource for the development of our residents' committee.			9%	9%	82%
With information sourced from HAAG we felt well informed regarding the process of forming a residents' committee.			9%	36%	55%
The information provided was clear and easy to understand.			9%	18%	73%
With HAAG's support we felt confident forming a residents' committee.	9%			27%	64%
An opportunity was created for questions and concerns to be voiced and discussed before the residents' committee was formed.				9%	91%
HAAG has offered continued support for our residents' committee, should we need it, into the future.					100%
I would use HAAG's support in the future					100%

RECOMMENDATIONS

The following are recommendations suggested from interviews with residents, managers, owners and relevant agencies.

Training for Managers and Owners

Of the different individuals and groups interviewed, there was an overwhelming mention and recommendation for training for managers and owners of caravan and residential parks and villages. Early in the interview stage of the project this need for training presented itself so it was incorporated into the interviews that followed.

To ensure data wasn't being influenced by project assumptions, if the subject of training was not brought up by interviewees, the interviewer asked the following question:

- Do you think training is needed for Owners and Managers of Caravan and Residential Parks?
- If so, what should be included in that training?

65% people felt training was needed for Managers and Owners.

- 16 out of 48 people interviewed brought up the need for training without prompting.
- 15 out of 15 that were asked if training was needed said yes.

Residents, Owners/Managers and Stakeholders identified training needs in the following areas:

- Communication Skills
- Conflict Resolution
- Working with Older People
- Legislation and Safety Requirements
- Administration skills
- General Management Training

Training and Support for Resident Committees

As training for Owners and Managers was suggested, so was the need for Resident Committee training. There was an expressed need for skilling in how to run a committee and how to involve all members of the park/village community. There were also suggestions of regional workshops that residents committee members could attend to improve skill levels but also to gather ideas and network with other residents committees.

As this project has identified the values, barriers and resources needed for residents committees, there is an established need to inform and educate residents' state wide. It is recommended that a dedicated worker be allocated to travel state wide assisting residents groups to start residents committees.

Mapping

The need to identify permanent residents living in Caravan and Residential Parks and Villages was greatly highlighted in the development of this project. Many of the residents are vulnerable older people and it is important to provide them with support and connection to appropriate services. As local councils are required to have the information given to them by park owners, local Councils could be a fundamental stakeholder in informing and connecting residents.

Legislation

Though the amendments to the Residential Tenancies Act 1997 states residents have the right to participate in a residents committee, it does not recognize the committee as an entity on its own which in turn often results in the committee not being recognised by the managers and owners of the park/village. This also means each individual has to file a separate application to VCAT for residential issues. In South Australia a Residents Committee is recognized and able to take legal action as a group. If Victoria followed suit this would alleviate time consuming file submissions as well as the potential for individuals to be intimidated by management.

Dispute Resolution Procedures

As conflict resolution was identified as one of the largest areas of need for resident support it is recommended that formal dispute resolution procedures within the Residential Tenancies Act 1997 be developed as best practice for both park/village owners and residents. A set of protocols also need to be developed to guide clear communication between residents and owners/managers. This would be best undertaken in collaboration with all relevant key stakeholders. The project has shown that for any significant progress to be made all parties need to be involved in the discussion.

CONCLUSION

We have a growing population of older people needing affordable, secure accommodation. As Residential Parks and Villages begin to meet the need of many of those older people, support and resources are needed to ensure residents are able to live safely, securely and connected. Residents Committees provide support for residents living in parks/villages and can improve communication with managers/owners. As this is a new concept for both residents and owner/managers, specific support helping them establish, develop and to be maintained is fundamental. The Residential Tenancies Act 1997 was amended to reflect the right of site tenants to participate in a residents committee, which suggests there has been significant barriers in the past if it had to be legislated. Communication, conflict resolution and safety requirements are all part of the skills and support needed for parks and villages to function in the best interests of all involved and connection to services and organisations that can support these processes is fundamental.

HAAG: Housing for the Aged Action Group

CAV: Consumer Affairs Victoria

ABS: Australian Bureau of Statistics

CARPAV: Caravan and Residential Parks and Villages working group

RTA: Residential Tenancies Act

NTV: Notice to Vacate

Caravan Park: traditionally an area of land which registered and unregistered movable dwellings are for tourists and holiday makers. Caravan Parks can have a variety of residents such as: tourists, annuals and permanent residents but usually smaller numbers of permanent residents.

Residential Park: Residential parks include caravan parks, manufactured home estates and establishments often called 'mobile home villages' or 'relocatable home parks'. Residential parks usually have a higher number of permanent residents.

Residential Village: purpose built moveable dwelling village – no tourists, usually no rentals or annuals

Security of tenure: is the security, or legal right of occupation, that a person has when entering into an agreement.

Tenure: The status of holding one's position on a permanent basis without periodic contract renewals. In the case of parks and villages the agreed length of occupation of a site between a resident/site tenant and an owner.

Dwelling: means any structure that is designed to be used for human habitation and that is capable of being so used, and includes a motor vehicle or trailer that is so designed and capable;

Movable dwelling: means a dwelling that is designed to be movable, but does not include a dwelling that cannot be situated at and removed from a place within 24 hours;

Periodic tenancy agreement: means a tenancy agreement other than a fixed term tenancy agreement

Rent: in relation to the residency of a caravan park, the amount paid to a caravan park owner by a resident to occupy a site and use facilities and services.

Resident: in relation to a caravan park, a person who occupies a site in the caravan park as his or her only or main residence and,

- (i) who has obtained the prior written agreement of the caravan park owner to do so (whether that agreement was given in respect of that site or another site in the caravan park); or
- (ii) who has so occupied any site in the caravan park for at least 60 consecutive days

Tenancy agreement: means an agreement, whether or not in writing and whether express or implied, under which a person lets premises as a residence;

Tribunal: means Victorian Civil and Administrative Tribunal established by the Victorian Civil and Administrative Tribunal Act 1998;

Part 4A dwelling: means a dwelling fully or partially owned by a site tenant—

- (a) designed, built or manufactured to be transported from one place to another for use as a residence; or
- (b) any other prescribed Part 4A dwelling—but does not include—
- (c) a registrable movable dwelling; or
- (d) a registrable movable dwelling with an annex attached; or
- (e) a dwelling that was previously a registrable movable dwelling but that has been modified to the extent that it no longer satisfies the definition of a registrable movable dwelling, unless it was so modified before the commencement of section 5 of the *Residential Tenancies Amendment Act 2010*;

Part 4A park: means an area of land where,

- (a) sites of land are available for occupation under a site agreement; and
- (b) Part 4A dwellings may be situated on those sites; and
- (c) common areas or facilities are available for the use of a person occupying a Part 4A site, and includes a caravan park if the caravan park contains Part 4A sites;

Registrable movable dwelling: means a movable dwelling that is or has been registered or is required to be registered under the Road Safety Act 1986; (i.e. caravan)

Site agreement: means an agreement under which a person lets land as a Part 4A site for the purposes of the occupation of a Part 4A dwelling on that land by the Part 4A dwelling owner as a residence;

Site agreement: provisions means any provisions of this Act to the extent to which they apply to a Part 4A site, a Part 4A dwelling, a site owner or a site tenant;

Site owner: means the person by whom a Part 4A site,

- (a) is let under a site agreement; or
- (b) is to be let under a proposed site agreement;

Site tenant: means the person to whom a Part 4A site,

- (a) is let under a site agreement; or
- (b) is to be let under a proposed site agreement;

Unregistrable movable dwelling: means a movable dwelling that,

- (a) is constructed on a chassis or in prefabricated sections; and
- (b) once installed, is a freestanding dwelling with solid walls and roof; and
- (c) is not a registrable movable dwelling.”

Notice to Vacate: A notice served in a prescribed format that forces a site tenant/resident, and their dwelling, to leave the site.

- 1 Housing for the Aged Action Group (2008)** *Living in Limbo: Caravan and Residential Park Residents Statewide Forum Report*
- 2 Consumer Affairs Victoria (2007)** *Residential Accommodation Issues Paper: Stakeholder consultation* <http://www.consumer.vic.gov.au/library/publications/resources-and-education/legislation/public-consultations-and-reviews/residential-accommodation-issues-paper.pdf> (accessed May 2012)
- 3 Consumer Affairs Victoria (2009)** *Options paper: Tenancy policy framework for residential parks* <http://www.consumer.vic.gov.au/library/publications/resources-and-education/legislation/public-consultations-and-reviews/options-paper-tenancy-policy-framework-for-residential-parks.pdf> (accessed May 2012)
- 4 Residential Tenancy Amendment Act 2010, No 67 of 2010 Division 8 206ZZB p.37**
- 5 Fiedler Jeff 2008**, *Caravan Parks and Villages, Housing for the Aged Action Group* p.8
- 6 Australian Bureau of Statistics Census 2011, Australia, Population and Housing**, (accessed June 2012) <http://www.abs.gov.au/websitedbs/censushome.nsf/home/communityprofiles?opendocument&navpos=230>
- 7 McLennan W 1999**, *Older people, Australia: A Social Report*, Australian Bureau of Statistics, Australian Bureau of Statistics, Canberra p.89
- 8 Australian Bureau of Statistics Census 2011, Victoria, Population and Housing**, (accessed June 2012) <http://www.abs.gov.au/websitedbs/censushome.nsf/home/communityprofiles?opendocument&navpos=230>
- 9 Mornington Peninsula Shire website 2012, Community Profile** (accessed May 2012) <http://profile.id.com.au/Default.aspx?id=118&pg=101&gid=10&type=enum>
- 10 Australian Bureau of Statistics, Mornington Peninsula, Population and Housing** (accessed May 2012) <http://www.abs.gov.au/websitedbs/censushome.nsf/home/communityprofiles?opendocument&navpos=230>
- 11 Gippsland.com website**, (accessed May 2012) <http://gippsland.com/AboutUs>
- 12 Gippsland Regional Plan Project Control Group (2010)** *Gippsland Regional Plan*, p.71
- 13 Australian Bureau of Statistics, Gippsland, Population and Housing** (accessed May 2012) <http://www.abs.gov.au/websitedbs/censushome.nsf/home/communityprofiles?opendocument&navpos=230>
- 14 Tuckman, B. (1965).** "Developmental Sequence in Small Groups." *Psychological Bulletin* 63: 384-399.

“You have to weigh up the benefits of a Residents Committee versus the path of resistance.”

A resident from a park that does not have a residents committee.

Park Identifier	Type of Park	Residents Committee				Lease		Separate Manager/Owner		Owner Relationship		Manager Relationship		Resident Committee Started
		yes	50	5 year	yes	moderately good	volitile	Owner initiated	Owner initiated	Owner initiated	Owner initiated	Owner initiated	Owner initiated	
1	Residential Village	yes	50	5 year	yes	moderately good	volitile	Owner initiated	Owner initiated	Owner initiated	Owner initiated	Owner initiated	Owner initiated	
2	Residential Village	yes	168	99 year	yes	moderately good	very good	Owner initiated	Owner initiated	Owner initiated	Owner initiated	Owner initiated	Owner initiated	
3	Permanet Residents only	yes	190	30 year	no	varied**	n/a	Owner initiated	Owner initiated	Owner initiated	Owner initiated	Owner initiated	Owner initiated	
4	Tourist, Annuals, Permanet Residents, Renters	yes	30	no	yes	volitile	volitile	Resident initiated	Resident initiated	Resident initiated	Resident initiated	Resident initiated	Resident initiated	
5	Permanet Residents only	yes	410	varies *	yes	moderately good	moderately good	Owner initiated	Owner initiated	Owner initiated	Owner initiated	Owner initiated	Owner initiated	
11	Tourist, Annuals, Permanet Residents, Renters	yes	150	no	yes	moderately good	moderately good	Resident initiated	Resident initiated	Resident initiated	Resident initiated	Resident initiated	Resident initiated	
12	Annuals, Permanet Residents	yes	210	99	yes	volitile	volitile	Resident initiated	Resident initiated	Resident initiated	Resident initiated	Resident initiated	Resident initiated	
13	Tourist, Annuals, Permanet Residents, Renters	yes	110	no	yes	nonexistant	very good	Resident initiated	Resident initiated	Resident initiated	Resident initiated	Resident initiated	Resident initiated	
6	Permanet Residents only	no	100	no	yes	volitile	moderately good	n/a	n/a	n/a	n/a	n/a	n/a	
7	Permanet Residents only	no	38	no	yes	volitile	moderately good	n/a	n/a	n/a	n/a	n/a	n/a	
8	Tourist, Annuals, Permanet Residents	no	101	no	yes	very good	very good	n/a	n/a	n/a	n/a	n/a	n/a	
9	Annuals, Permanet Residents, Renters	no	55	5 year	no	moderately good	n/a	n/a	n/a	n/a	n/a	n/a	n/a	
10	Tourist, Annuals, Permanet Residents	no	40	no	no	very good	n/a	n/a	n/a	n/a	n/a	n/a	n/a	

* varies from resident to resident ** varied from resident to resident. Poor to Excellent

existing residents committee
resident committee started during project
no resident committee



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