



Affiliated Residential Park Residents Association Inc.

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Factsheet

Residential Parks Act

Park residents in New South Wales have rights under the *Residential Parks Act 1998* and the *Residential Parks Regulation 2006*. This factsheet is about the Act and the Regulations, and how they apply to your Residential Tenancy or Site Agreement.

Who does the Act cover?

All residents in a caravan park or manufactured home estate in New South Wales are provided with legislative protection by both the *Residential Parks Act 1998* and the *Residential Parks Regulation 2006*, providing that they occupy their dwelling as their principal place of residence. Long-term casual occupants are not covered by the Parks Act or the Regulations.

Residents who move into a park in a campervan or caravan that does not have a rigid annexe may not be covered for up to the first 60 days of their occupancy.

What does the Act look like?

The *Residential Parks Act* is divided into Parts, Divisions, and Sections. The *Residential Parks Regulation* is divided into Parts and Clauses.

The Regulation also includes Schedules, which provide prescribed versions of different types of Tenancy Agreements, including Site Agreements. These Agreements are also divided into Clauses.

Some Sections of the Parks Act provide for the rights and obligations of both resident and park owner. These Sections are included in every Residential Tenancy Agreement and Residential Site Agreement in a park, and commence with the phrase, 'It is a term of every residential tenancy agreement...'

It is illegal for either party to try and contract out of the Act or the Regulations.

What Are My Rights?

Always check your written agreement first to find out all your rights and obligations. Following is a short list of just some of your rights, as stipulated in the *Residential Parks Act* -

- to be given a written Agreement at the start of your tenancy.
- to be given rent receipts, unless you pay your rent directly into a bank account.
- to be given 60 days written notice of a rent increase.
- to be given 60 days written notice of a change to the Park Rules.
- to sell your home when you choose, without interference from the park owner.

What Are My Obligations?

Some of your obligations are -

- to pay your rent, on time and in advance.
- to keep your site reasonably clean.
- to make sure you obtain written consent from the park before doing any additions or alterations that can be seen from the outside.
- not to interfere with the reasonable peace, comfort and privacy of everyone else who lives in the park.

For further advice and information on the *Residential Parks Act 1998* and the Regulations, please contact your local affiliate or contact ARPRA on **1300 798 399**. More advice is also available from NSW Fair Trading on **133 220**.

www.arpra.org.au

www.fairtrading.nsw.gov.au

This factsheet has been written to provide a brief summary of the laws in New South Wales. It should not be considered to be a full reading of the Act or be used as a substitute for legal advice.