



PROSPECTIVE HOME OWNERS



fact sheet

Home owners in New South Wales have rights under the *Residential (Land Lease) Communities Act 2013* and *Residential (Land Lease) Communities Regulation 2015*. The *RLLC Act* also includes information for prospective home owners. This fact sheet lets you know what you should look for before moving into a community, and what information you should be given before you buy or lease.

Before you sign up

Once you have picked a community you think you'd like to live in, take a walk around the community before looking closely at any houses, so you won't be swayed. What are the amenities like? Does it have what you want, like a bowling green, or a swimming pool? What are the roads like? The condition of the roads is a good indicator of how much maintenance the community owner routinely does. What are the trees like? Are there any dead branches hanging over any of the houses or roads?

Find some home owners to talk to, and get their opinions on living in this community, including the site fee levels. If everything looks good, it might be time to take a look at some of the houses that are for sale.

What to look for in a house

Manufactured homes are built off-site. They should not be on cement slabs, but up on footings. Check the gutters, the downpipes, and the edges of any woodwork, like verandahs. A build-up of mildew or mould around the edges might indicate a long term dampness issue underneath the house. Check for compliance plates and site boundary markers. Both are required by council.

Older dwellings are usually more affordable, but more basic, sometimes consisting of a caravan with an annexe attached. Make sure it is a hard annexe, not one made of canvas.



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What should I be given before signing up?

A community owner is required to provide every prospective home owner with a written copy of the tenancy agreement. Prospective home owners have a right to seek independent advice before entering into an agreement with the community owner, who must not restrict their right to seek such advice.

A community owner must offer you a rent-only site agreement before offering a Voluntary Sharing Agreement. Before entering into any Voluntary Sharing Agreement, please seek advice as these agreements could be complex, and you should fully understand what you are entering into.

Agreements can contain additional terms that are not required by law and are negotiable with the community owner. You must be given a Disclosure Statement at least 14 days before entering into a Residential Site Agreement. The Disclosure Statement should set out the following: the fees and charges that will be payable, current range of site fees

payable in the community, details of the services and facilities available, and any details of compliances with any statutory requirements for the community and any other information as set out in the prescribed form. Communities have rules, and the community rules form part of your agreement.

You must be given a set of the current community rules before you sign. You must also be provided with a copy of Fair Trading's *Moving into a Land Lease Community?* booklet, and the Disclosure Statement and the Site Condition Report. This very important document provides you with legally required information about the community, the site, and the dwelling. If you don't receive any one of these documents, don't proceed before getting advice. Talk to a solicitor or to ARPR on **1300 798 399**.

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