



RESIDENTIAL (LAND LEASE) COMMUNITIES ACT 2013



fact sheet

Home owners in New South Wales have rights under the *Residential (Land Lease) Communities Act 2013* and the *Residential (Land Lease) Communities Regulation 2015*. People who reside in a residential park, village or estate are now home owners in a residential community. This fact sheet is about the *RLLC Act* and the Regulation, and how they apply to your Residential Tenancy or Site Agreement.

Who does the Act cover?

All home owners in a caravan park or manufactured home estate in New South Wales are provided with legislative protection by both the *Residential (Land Lease) Communities Act 2013* and the *Residential (Land Lease) Communities Regulation 2015*. Long-term casual occupants are not covered by the *RLLC Act* or the Regulation.

Home owners 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 *RLLC Act* is divided into Parts, Divisions, and Sections. The *Residential (Land Lease)*

Communities 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 *RLLC Act* provide for the rights and obligations of both home owner and community owner. These Sections are included in every Residential Tenancy Agreement and Residential Site Agreement in a community, 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 Regulation.



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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 *RLLC Act*—

- to be given a written Agreement at the start of your tenancy.
- to be given site fee receipts, unless you pay your site fee directly into a bank account.
- to be given 60 days' written notice of a site fee increase or 14 days' notice by a fixed method increase.
- to be given 30 days' written notice of a change to the Community Rules.
- to sell your home when you choose, without interference from the community operator.

What Are My Obligations?

Some of your obligations are—

- to pay your site fee, on time and in advance.
- to keep your site reasonably clean.
- to make sure you obtain written consent from the community 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 community.

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

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