



# UTILITIES



## 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*. This fact sheet sets out the law in NSW regarding utilities charges payable under your agreement.

### Water and Sewerage

A community owner may charge you for water and sewerage usage and service availability if your site has its own individual water meter. The amount you are required to pay for water usage depends on the metered amount you use. Home owners should be charged at the same rate per kilolitre that they would have to pay if they were a direct domestic customer of the water supply authority.

The water service availability charges payable by a home owner are calculated according to how much the community owner is charged by the local water supply authority, divided by the number of sites in the community, including short term sites. The amount you can be charged is either \$50 per annum, or the

calculated amount, whichever is the least. If the calculated yearly amount is more than \$50, the law stipulates you cannot be charged more than \$50 for both water and sewerage availability.

### Gas

A home owner may have gas connected to their home. Home owners may have an account directly with the gas or energy supplier, or may be supplied by the community owner. The premises must be separately metered for gas usage before a community owner can pass these charges on to a home owner.



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### Electricity

Home owners can have supply accounts directly with the electricity supplier, however in most communities, home owners have meters that are read by the community owner. Home owners that are charged by the community owner must be charged at the same rate they would have to pay if they were a direct residential customer of the electricity supplier. If your site does not have an electricity meter, you cannot be made to pay separately for electricity consumption. Electricity service availability charges (SACs) may also be payable by a home owner. The amount of SAC payable by a home owner is dependent on the amount of amps your site is supplied with, and not the amount your home can take. The Office of Fair Trading has produced a booklet titled *Customer Service Standards for the Supply of Electricity to Permanent Residents of Residential Parks*. It contains a chart that shows the SAC rates according to the ampage supplied, and is available from any Fair Trading Centre and their website, and the ARPR website.

A community operator must give the home owner an itemised account and allow at least 21 days for the payment to be made for all utilities. The community operator cannot charge more than the amount charged by the utility service provider.

All utility invoices must include the meter readings and dates on which they were read, and the rate of charge.

### Late Fees

The community operator is entitled to charge a late payment fee or for a dishonoured payment that does not exceed the amount that could have been charged if the utility was supplied directly to the home owner by the local utility service provider. Remember, it is your responsibility to pay your utilities on time. If you are struggling to make a payment, speak with your community operator and ask to make a payment plan that may assist you. A community operator cannot use site fee payments towards outstanding utility fees and charges.

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

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