

Dispute negotiation notice

Manufactured Homes (Residential Parks) Act 2003

This form is effective from 31 October 2018

ABN: 86 504 771 740

Important

If you have concerns or do not understand this form, you should seek independent professional advice from an experienced lawyer or community legal service.

This notice may be used by a park owner or a home owner in a residential park to initiate the dispute negotiation process with another party in a residential park. Dispute negotiation is the first step in the dispute resolution procedures in the *Manufactured Homes (Residential Parks) Act 2003* (the Act).

Part 17, Division 1 of the Act contains dispute resolution procedures which home owners and park owners are required to follow when attempting to resolve a dispute in a residential park. Generally, parties must attempt dispute resolution before making an application to the Queensland Civil and Administrative Tribunal (QCAT), unless the application to QCAT is authorised under an exempt provision of the Act. Further information on exempt provisions can be found in section 116(5) of the Act.

Parties who are subject to dispute negotiation have an obligation to attempt to meet and resolve the dispute by negotiation at the time nominated in this form, or another time agreed by the parties that is within 7 days after the nominated day and time. The other party (receiving this notice) must respond in writing within 7 days.

Where the facts or circumstances of the dispute are the same for multiple home owners, they may act jointly in initiating a dispute. Where the dispute involves multiple homeowners, they should be listed in part 4 of this notice.

For matters which cannot be resolved during the dispute negotiation, parties may apply to the QCAT registrar to have the dispute referred to mediation. If the matter is unable to be resolved during mediation, parties may then apply to QCAT on 1300 753 228 or at www.qcat.qld.gov.au.

Part 1—Parties to the dispute

<p>1.1 Details of party initiating the dispute</p> <p>Sign here ➔</p>	<p>I am a Home owner Park owner/manager</p> <p>Title Mr Mrs Ms Miss Other (specify)</p> <p>Last name</p> <p>First name</p> <p>Business name (if applicable)</p> <p>.....</p> <p>.....</p> <p>Address</p> <p>Suburb State Postcode</p> <p>Phone Fax</p> <p>Email</p> <p>I am sending this notice jointly on the behalf of multiple people (complete part 4)</p> <p>Signature Date</p> <p style="text-align: right;">DD / MM / YYYY</p>
<p>1.2 Details of other party (receiving the dispute)</p>	<p>I wish to initiate a dispute against a Home owner Park owner/manager</p> <p>Title Mr Mrs Ms Miss Other (specify)</p> <p>Last name</p> <p>First name</p> <p>Site number (if applicable)</p> <p>Business name (if applicable)</p> <p>.....</p> <p>.....</p>

Part 4—Additional parties to dispute (complete as necessary)

Last name

First name Site number

Email Phone

Last name

First name Site number

Email Phone

Last name

First name Site number

Email Phone

Last name

First name Site number

Email Phone

Last name

First name Site number

Email Phone

Last name

First name Site number

Email Phone

Last name

First name Site number

Email Phone

Last name

First name Site number

Email Phone

Attach additional pages as required

Further information

If you would like more information, contact the Department of Housing and Public Works on 13 QGOV (13 74 68) or visit our website at www.hpw.qld.gov.au

Regulatory Services (Department of Housing and Public Works)

Regulatory Services administers *the Manufactured Homes (Residential Parks) Act 2003*. This includes investigating complaints and alleged breaches of the Act.

Department of Housing and Public Works
GPO Box 690, Brisbane, QLD 4001
Phone: 07 3008 3450
Email: regulatoryservices@hpw.qld.gov.au
Website: www.hpw.qld.gov.au

Queensland Retirement Village and Park Advice Service (QRVAPAS)

Specialist service providing free information and legal assistance to home owners and prospective home owners in residential parks in Queensland.

Caxton Legal Centre Inc.
1 Manning Street, South Brisbane, QLD 4101
Phone: 07 3214 6333
Email: caxton@caxton.org.au
Website: www.caxton.org.au

Seniors Legal and Support Service

These centres provide free legal and support services for seniors concerned about elder abuse, mistreatment or financial exploitation.

Caxton Legal Centre Inc.
1 Manning Street, South Brisbane, QLD 4101
Phone: 07 3214 6333
Email: caxton@caxton.org.au
Website: www.caxton.org.au

Queensland Civil and Administrative Tribunal (QCAT)

This independent decision-making body helps resolve disputes and reviews administrative decisions by government.

GPO Box 1639, Brisbane, QLD 4001
Phone: 1300 753 228
Email: enquiries@qcat.qld.gov.au
Website: www.qcat.qld.gov.au

Queensland Law Society

Find a solicitor
Law Society House
179 Ann Street, Brisbane, QLD 4000
Phone: 1300 367 757
Email: info@qls.com.au
Website: www.qls.com.au

Further information continued**Department of Justice and Attorney-General**

Dispute Resolution Centres provide a free, confidential and impartial mediation service to the community.

Phone: 07 3006 2518

Toll free: 1800 017 288

Website: www.justice.qld.gov.au

Response – Other party (receiving the dispute) to complete**Information**

If you receive this notice, you are required to return the completed form to the address listed in part 1.1 of this notice within 7 days of receiving this notice.

It is recommended that parties contact one another and work together to find a time and place that is mutually agreeable to everyone involved.

Your details

(person responding)

Title Mr Mrs Ms Miss Other (specify)

Last name

First name

Site number (if applicable)

Business name (if applicable)

.....

Confirmation for time of dispute resolution meeting.

I agree to meet at the nominated time and place.

I **do not** agree to meet at the nominated time and place and wish to propose another time and/or location for the meeting.

Propose a different time for meeting

Complete if you do not agree to nominated time

Not applicable

Proposed time Proposed date

DD / MM / YYYY

Note: This time must be within 7 days of the time proposed in part 3 of the dispute notice.

Propose another location

Complete if you do not agree to nominated place

Not applicable

Proposed address/location

.....

.....

Suburb State Postcode

Note: A change in location must be agreed to by both parties to the dispute

