

# Regulator Performance Report 2023-24

The Department of Housing and Public Works – Regulatory  
Services



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Regulator Performance Report – Regulatory Services, Department of Housing and Public Works, 2023-24

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## Table of Contents

|  |    |
|--|----|
| Introduction .....   | 4  |
| Queensland’s regulated sectors and regulatory activity ..... | 4  |
| 2023-24 regulatory activity snapshot .....                   | 4  |
| Model Practices.....   | 6  |
| Model practice 1.....  | 6  |
| Model practice 2.....  | 6  |
| Model practice 3.....  | 7  |
| Model practice 4.....  | 8  |
| Model practice 5.....  | 10 |
| Looking forward .....  | 13 |
| Appendix 1 .....   | 15 |
| Regulated Industries.....                                    | 15 |
| Appendix 2 .....   | 18 |
| Queensland regulatory best model practices .....             | 18 |

## Introduction

The Regulator Performance Report 2023-24 for the Department of Housing and Public Works summarises the progress achieved over the past 12 months in implementing the Queensland Government's Regulator Performance Framework model practices. It highlights key milestones and strategies employed to enhance performance and drive meaningful results.

The department has a clear vision of More homes, faster | Building a better future, underpinned by the purpose to drive the creation of more homes and responsive services through an integrated housing system, with the Strategic Plan available [here](#).

The Regulator Performance Report increases transparency and is complementary to publicly available information, including the Service Delivery Statements, Strategic and Operational Plans, and Annual Reports. It provides valuable insights into operations throughout 2023-24, including actions undertaken, the outcomes of those actions and the impact this activity will have on Queensland's housing system over time.

The Department of Housing and Public Works, through the Regulatory Services unit, oversees four critical industry regulatory systems in Queensland for:

1. **Community housing provision** – administered under the *Housing Act 2003*
2. **Residential services** – administered under the *Residential Services (Accreditation) Act 2002*
3. **Manufactured homes (residential parks)** – administered under the *Manufactured Homes (Residential Parks) Act 2003*
4. **Retirement villages** – administered under the *Retirement Villages Act 1999*.

## Queensland's regulated sectors and regulatory activity

On 30 June 2024, there were 889 regulated entities delivering community managed housing (CH), retirement village accommodation (RV), manufactured homes (MH) and residential services (RS) across Queensland.

These entities delivered 80,200 units of accommodation to approximately 113,220 Queenslanders throughout the state [1].

## 2023-24 regulatory activity snapshot

All data is based on the period 1 July 2023 to 30 June 2024.

### Retirement villages

- 5 new villages registered totalling 332 accommodation units
- 3 villages closed
- 725 village comparison documents reviewed
- 23 villages visited through a targeted compliance program
- 155 compliance matters investigated

### Residential services

- 6 services gained initial accreditation
- 10 services de-registered
- 57 services had accreditation renewed
- 201 compliance matters investigated

[1] The number of Queenslanders in CH, RS, MH and RV are approximate as some accommodation types do not capture exact number of occupants in each household. The method used to calculate an approximate number of residents uses a multiple of 1.4 which is the average number of people per household.

### **Manufactured homes (residential parks)**

- 5 new parks were recorded, resulting in an additional 1,542 sites statewide
- 22 residential parks visited to investigate compliance breaches
- 59 compliance matters investigated
- Nil parks closed and/or ceased operations

### **Community housing**

- 5 new registrations were achieved
- 56 compliance assessments scheduled
- 39 compliance assessments completed
- 17 assessment returns deferred to next year

Refer to [Appendix 1](#) for further information about regulated sectors.

## Model Practices

### Model practice 1

*Ensure regulatory activity is proportionate to risk and minimises unnecessary burden*

#### Manufactured homes (residential parks)

##### Online contact form

During 2023-24, Regulatory Services made significant improvements to the [Report a suspected breach of the Manufactured Homes \(Residential Parks\) Act](#) online form to enhance the user experience when reporting suspected breaches or submitting notifications about a manufactured home (residential park).

Prior to the enhancement of the form, customers faced a submission process involving paper forms, emails, online forms, and/or phone calls. This fragmented approach often resulted in delays and frustration.

The online form has transformed the submission experience. Customers can now complete their requests from anywhere, at any time, streamlining the entire process. This improvement has not only significantly reduced turnaround times but also elevated overall customer satisfaction.

To learn more about the types of matters that can be reported through the online form, please visit the Queensland Government website at [www.qld.gov.au/housing/buying-owning-home/housing-options-in-retirement/manufactured-homes/residential-parks-dispute-resolution/report-a-breach](http://www.qld.gov.au/housing/buying-owning-home/housing-options-in-retirement/manufactured-homes/residential-parks-dispute-resolution/report-a-breach)

##### Fire evacuation compliance

A process review was undertaken in early 2024 to improve the review and assessment of emergency plans. It was completed in accordance with Section 86(A) of the *Manufactured Homes (Residential Parks) Act 2003* (MHRP), which obligates park owners to develop, maintain, and execute emergency plans.

The approach was designed to facilitate a more thorough and efficient evaluation across all registered parks.

Following the review, in April 2024, registered park owners were issued a formal request to submit their current emergency plans. More than 90% of submissions received were assessed as compliant with the MHRP Act's requirements and the few parks that did not meet the required standards were requested to submit additional information to remedy the deficiencies.

This approach significantly enhanced the efficiency and consistency of emergency plan evaluations. By reducing the need for travel, it not only reduced associated costs and saved time, but also ensured a more focussed and consistent assessment across all registered parks.

### Model practice 2

*Consult and engage meaningfully with stakeholders*

#### NRSCH Queensland Registrar

The National Regulatory System Community Housing (NRSCH) registrars play a vital role in shaping the future of the community housing sector by working together through a variety of platforms, including monthly forums, biannual face-to-face meetings, Regulatory Advisory Group meetings, and ad-hoc teleconferences.

Collaborative efforts are focused on creating regulatory approaches that promote healthy competition, protect tenants, and strengthen confidence across the sector. The registrars work on a range of key priorities, including providing updates on ongoing projects, sharing best practices, and identifying emerging risks. They also tackle new challenges in the community housing sector, such as changes

in regulations and shifts in sector performance, while setting long-term strategic objectives to guide the growth of the sector and NRSCH initiatives, such as the NRSCH stakeholder engagement and communication plan 2023-2026.

A cornerstone of the approach is information sharing, particularly through fostering collaboration across different regions to ensure a seamless experience for housing providers operating in multiple areas. They also work to build stronger relationships with stakeholders, promoting open dialogue to build trust, exchange knowledge, and better understand the needs and expectations of the community.

The NRSCH registrars forum, chaired by Queensland, strive to achieve a unified and consistent regulatory approach across multiple regions, working to improve governance, compliance, and overall outcomes for tenants and communities alike. Their commitment to collaboration and innovation plays a crucial role in driving the sector toward greater stability, growth, and sustainability.

## Community housing

### Data quality and reporting capabilities

In December 2023, Queensland has collaborated with South Australia's Housing Authority to share insights and learnings on system functionality and identify key aspects and opportunities to enhance NRSCH reporting and data management requirements. This joint venture began with a comprehensive review of existing community housing reporting practices, with a focus on identifying potential areas for improvement. A major focus was the potential use of integrating data from the system directly into Microsoft PowerBI software to develop advanced dashboards and provide analysts with powerful tools to streamline their assessments, facilitate trend analysis through a blend of financial and non-financial metrics, and make data analysis more accessible and actionable.

Work has centred on enhancing processes and creating tools to improve community housing management and reporting, including the following areas:

- **Improving data quality:** strategies to ensure that the data used for reports is accurate, appropriate, and reliable, including refining processes to enhance data quality prior to report production, which is essential for effective decision-making and trend identification.
  - **Publishing jurisdictional reports:** consideration of the potential for Queensland to publish jurisdictional reports. Such reports would give community housing providers a transparent view of their performance against established benchmarks, promoting greater accountability and transparency.
- Addressing risk areas in compliance assessments:** investigation of ways to improve identification and manage of risk areas during compliance assessments, aiming to strengthen approaches to risk management and mitigation.

## Model practice 3

### *Provide appropriate information and support to help compliance*

#### Manufactured Homes (Residential Parks) Amendment Act 2024

On 23 May 2024, the Queensland Parliament passed significant amendments to the *Manufactured Homes (Residential Parks) Act 2003*, designed to bolster consumer protection and address concerns about site rent increases and sales within manufactured homes (residential parks).

The *Manufactured Homes (Residential Parks) Amendment Act 2024* received royal assent on 6 June 2024, and its provisions will be rolled out in stages throughout 2024 and 2025. This phased implementation ensures time for consultation and effective integration.

Among the changes that took immediate effect upon assent are a cap on site rent increases, set at 3.5 percent or the Consumer Price Index (CPI), whichever is higher; a ban on market rent reviews; the introduction of a buyback and site rent reduction scheme; and strengthened protections for home owners facing the termination of site agreements. These amendments are poised to provide more stability and fairness for residents living in a manufactured home in a residential park.

## Customer Connect Team

The 2023-24 financial year saw the first full year of operations for the Customer Connect Team. Having a dedicated team focused solely on delivering accurate and timely responses has redefined how Regulatory Services approaches customer service, embodying a commitment to efficiency and clarity.

By prioritising clear and effective communication, the Customer Connect Team has established a robust framework that significantly enhances the overall customer experience which has empowered staff to provide timely and accurate responses, fostering a culture of reliability and trust.

The Customer Connect Team received over 4700 enquiries across various channels, including phone, email and post. Of these enquiries, 53% were resolved at the first point of contact, demonstrating a strong commitment to improving customer interactions and satisfaction levels, ensuring customers feel heard and supported.

## Disability Accommodation Providers

During 2023-24, 885 properties across 30 regional local councils were identified that may require registration under the *Residential Services (Accreditation) Act 2002* (the Act). The department maintains a key focus on protecting resident welfare, encouraging fair trade, maintaining compliance with legislation, and securing the residential services industry's future sustainability.

There has been active engagement and collaboration with service providers across the sector through targeted outreach and educational initiatives. These efforts empower providers to better understand and navigate the complexities of service provider registration and compliance requirements.

Regulatory Services is continuing to develop a comprehensive suite of services designed to support the unique needs of the residential services sector, including real-time assistance, expert guidance, and an array of resources tailored specifically for providers to simplify and streamline the process of meeting the registration standards outlined in the Act, thereby reducing the burden on service providers.

This work represents an effort to grow a more informed, compliant, and resilient residential services landscape. For more information about registration, please visit the Business Queensland website at [www.business.qld.gov.au](http://www.business.qld.gov.au).

For quick access to the disability accommodation service providers page, please visit the Business Queensland website at: <https://www.business.qld.gov.au/industries/service-industries-professionals/housing-accommodation/residential-service/disability-providers>

## Model practice 4

### *Commit to continuous improvement*

#### Community Housing Reform Project

The Community Housing Reform Project aims to transform the registration and compliance processes for community housing providers, which will enhance efficiency, transparency, and support for all stakeholders.

#### Key milestones:

- **September 2023:** Conducted a series of registration webinars and in-person compliance workshops to prepare stakeholders for the upcoming reforms.
- **January 2024:** Initiated the Community Housing Reform Project, incorporating feedback from providers to refine and improve the approach.



- **Risk-based registration:** Implemented a risk-based framework for registrations, introducing differentiated registration streams based on organisational structure. This includes a new 'light registration' option for Special Purpose Vehicles (SPVs) and wholly owned subsidiaries.

#### Project enhancements:

- **Process streamlining:** Overhauled internal processes to enhance efficiency.
- **New guidance:** Developed comprehensive guidance materials and frequently asked questions to assist providers through the registration process.
- **Pre-registration information:** Provided detailed insights into ongoing compliance obligations for new community housing providers.

#### Long-term initiatives:

- **Onboarding and training:** Created onboarding materials and training packs to support new and existing providers.
- **System enhancements:** Implemented improvements to the Community Housing Regulatory Information System (known as CHRIS) to better meet user needs.
- **Jurisdictional consistency:** Worked towards greater consistency across jurisdictions to standardise processes.
- **Capacity building:** Collaborated with peak bodies to strengthen the capacity of community housing providers.

#### Recent achievements:

- **June 2024:** Received positive feedback from a provider who successfully completed seven new light registrations, all of which were finalised in time for Housing Infrastructure Fund (HIF) applications.

The Community Housing Reform Project represents a significant advancement in how registrations and compliance are managed, focusing on streamlined processes, improved support, and long-term sustainability.

#### Village Comparison Document (VCD) online

Upgrades to the Village Comparison Document (VCD) online platform mark a major step. It has enabled more comprehensive collection of data about the retirement village industry and expands the range of information available on the department's Compare Retirement Villages website:

[www.compareretirementvillages.housing.qld.gov.au](http://www.compareretirementvillages.housing.qld.gov.au)

The upgrade also features enhancements to the online customer service centre, streamlining the process for scheme operators to completing and submitting their VCDs.

#### Key benefits:

- **Enhanced data capture:** The platform facilitates improved monitoring of industry trends and compliance by capturing a broader spectrum of data.
- **Informed policy development:** A deeper understanding of industry dynamics supports more informed policymaking and research efforts.
- **Increased data accuracy and efficiency:** The online system streamlines data management, improving both the accuracy and efficiency of information processing.
- **Optimised staff resource utilisation:** By automating and streamlining processes, staff resources can be better allocated to other critical tasks.
- **Operator advantages:**

- **Form flexibility:** Operators can access, modify, save progress, and return to complete their VCD forms at their convenience.
- **Historical access:** Operators can view all previous versions of VCDs submitted for their village via the online operator self-service centre.
- **Up-to-date forms:** Immediate access to the latest version of the VCD form ensures that operators are using the most current data collection tools.
- **Real-time updates:** Operators benefit from real-time updates of data stored by the department.
- **Centralised communication:** Operators have access to all departmental communication sent to industry, stored within the customer service centre.
- **Content control:** The system ensures the accuracy and currency of regulated form content, and the data provided by operators.
- **Risk profiling:** The platform categorises retirement villages based on risk profiles, aiding in the allocation of resources for targeted compliance activities.

### Supporting our staff

The department is committed to fostering a culture of continuous learning and professional development. Staff are actively encouraged to pursue both formal and informal learning opportunities. Several Regulatory Services staff have successfully completed a Certificate IV in Government Investigations, while others have enhanced their knowledge and skills through specialised training and seminars offered by Crown Law, the Queensland Ombudsman, and the National Regulators Community of Practice.

These opportunities are designed to keep staff at the forefront of regulatory practices and ensure they are supported and well-equipped to navigate the evolving landscape. By investing in the growth and development of employees, the department is cultivating a workforce that is adaptable, highly- skilled, and accountable.

### Continuous improvement

The department's commitment to transparency and accountability drives responsiveness to industry feedback, which is essential for evolution towards a modern, forward-thinking regulatory system. The insights gathered through diverse channels such as surveys, workshops, industry events, and direct consultations provide invaluable perspectives that help identify both strengths and the areas where improvement is needed.

The department will continue to engage with delivery partners, industry experts, and key stakeholders to inform the department's priorities and shape enhancement initiatives. This ongoing collaboration ensures an agile approach to better support providers in critical areas. By staying attuned to the needs of the sector, the department can adapt to deliver greater value and more effective regulatory outcomes.

## Model practice 5

*Be transparent and accountable with actions*

### Contributions to the Parliamentary Inquiry into the Provision and Regulation of Supported Accommodation in Queensland

On 26 October 2023, the Legislative Assembly agreed for the Community Support and Services Committee to investigate and report on supported accommodation provision and regulation in Queensland.

The inquiry related to residential services as defined under the Residential Services (Accreditation) Act 2002, particularly those accredited to level 3 that provide accommodation, food and support services, regulated by the department.

The department assisted the inquiry by appearing at Parliamentary public briefings on 27 November 2023 and 29 April 2024, providing written submissions and responses to Committee questions. The department works to ensure that residential services are conducted in a safe environment and meet or exceed minimum regulatory standards. The regulatory compliance matters identified through the inquiry were taken seriously and acted on immediately to address concerns raised, conducting unannounced site inspections and undertaking compliance action where required.

The department is taking a stronger regulatory approach by issuing conditions on accreditation in preference to Quality Improvement Plans when standards have not been met.

On 9 September 2024, the response to the parliamentary inquiry was tabled. For more information about the Inquiry into the Provision and Regulation of Supported Accommodation in Queensland, visit: [www.parliament.qld.gov.au/Work-of-Committees/Committees/Committee-Details?cid=165&id=4298](http://www.parliament.qld.gov.au/Work-of-Committees/Committees/Committee-Details?cid=165&id=4298)

## The Retirement Villages (Financial Documents) Amendment Regulation 2024

The *Retirement Villages (Financial Documents) Amendment Regulation 2024* (Amendment Regulation) amends the *Retirement Villages Regulation 2018* (RV Regulation) and received approval from the Governor on 14 June 2024.

The objective of the amended RV Regulation is to prescribe requirements to improve the financial transparency, accountability, and consistency of financial reporting by retirement village scheme operators under the *Retirement Villages Act 1999* (RV Act).

### Collaboration and transparency

The department worked to ensure a transparent and consultative approach throughout the development, drafting, and publication process of the retirement villages regulation. This collaboration emphasised open communication with key stakeholders such as the Property Council of Australia, Urban Development Institute of Australia, Aged and Community Care Providers Association, Queensland Law Society, Association of Residents of Queensland Retirement Villages Queensland, Queensland Retirement Villages and Parks Advice Service, Council on the Ageing (COTA) Queensland and National Seniors Australia, reflecting a commitment to thorough and inclusive regulatory development.

### Stakeholder engagement

After the RV Regulation was approved, further consultation was held on the Retirement Financial Guidelines with industry stakeholders previously engaged in the retirement villages regulation.

All stakeholders provided submissions, contributing valuable insights and feedback. Suggested improvements included simplifying the language, reducing the length of the document and increasing its readability for the target audiences (residents, scheme operators and accountants).

The department is reviewing and incorporating feedback to improve the Retirement Financial Guidelines, ensuring they meet the industry's requirements.

## Manufactured homes (residential parks)

### Instructional videos

During the 2023-24 financial year, a series of instructional videos were published to provide guidance on several crucial topics governed by the *Manufactured Homes (Residential Parks) Act 2003*. The key areas covered include:

- Manufactured homes - site rent increases

- Manufactured homes - market rent reviews
- Manufactured homes - resolving disputes.

These videos were created, in accordance with best practice principles, to support owners and homeowner committees in understanding expectations and navigating scenarios involving site rent increases, market rent reviews, and dispute resolution.

To watch the videos, please visit [www.youtube.com/@housingforqueensland/videos](https://www.youtube.com/@housingforqueensland/videos).

## **Retirement villages**

### **Regulatory guideline - costs of selling a retirement village unit**

During the 2023-24 financial year, Regulatory Services published the *Costs of selling a retirement village unit* guideline, to clarify the administration of the RV Act for industry stakeholders.

The guideline addresses the costs that retirement village scheme operators can charge former residents when selling their unit/s. According to Section 68 of the RV Act, operators are prohibited from imposing any fees, charges, or commissions for the sale of a resident's right to reside in a retirement village, except for commissions paid to licensed real estate agents. Operators can only charge specific, sale-related expenses such as advertising, arranging viewings for potential buyers, or obtaining property valuations.

This guideline serves as a resource conveying the minimum standards for compliance, transparency and fairness in financial dealings, protecting the rights of residents while clarifying the responsibilities of operators.

To view the guideline, visit: [www.chde.qld.gov.au/\\_data/assets/pdf\\_file/0023/36059/regulatory-guidelines-retirement-village-costs-of-selling.pdf](https://www.chde.qld.gov.au/_data/assets/pdf_file/0023/36059/regulatory-guidelines-retirement-village-costs-of-selling.pdf)

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## Looking forward

### Manufactured Homes (Residential Parks) Amendment Act 2024

Regulatory Services is dedicated to enhancing our community engagement programs for 2024-25, aiming to keep stakeholders informed about the forthcoming changes with the *Manufactured Homes (Residential Parks) Amendment Act 2024*.

The engagement will feature a series of town hall-style meetings with home owner committees in key locations such as Hervey Bay, Gold Coast, Sunshine Coast, Logan, and the Moreton regions.

To further strengthen communication, Regulatory Services will conduct monthly engagements with key stakeholders and industry bodies, ensuring that all parties are updated and able to engage in meaningful discussions.

This approach will foster a more transparent dialogue about the impending legislative amendments, providing stakeholders with a clearer understanding of their scope and impacts. By centralising information and delivering it from a single, reliable source, we aim to minimise the risk of miscommunication and ensure consistency across all channels.

The program is designed to build and sustain positive relationships with home owners, home owner representative groups, park managers, and park owners. These efforts will enhance collaborative interactions and contribute to a cooperative, compliant environment.

### Retirement Villages (Financial Documents) Amendment Regulation 2024

On 14 June 2024, the Governor approved the *Retirement Villages (Financial Documents) Amendment Regulation 2024* enacting amendments to the *Retirement Villages Regulation 2018*.

The amendments standardise and prescribe minimum requirements for retirement villages:

- Budgets
- Quarterly financial statements
- Audited annual financial statements
- Audit reports
- Quantity surveyor reports.

The amendments enhance transparency, accountability, and uniformity in financial reporting by retirement village operators, benefiting both operators and residents. After thorough industry consultations, these improvements took effect from 1 July 2024.

The department is set to release guides to help residents and operators comprehend and apply new financial reporting changes. The initial guide will clarify quantity surveyor report requirements for operators and surveyors.

The changes apply to financial reports by retirement village operators for the 2025-26 financial year, giving the industry time to align their financial documentation and reporting to the new standards. Regulatory Services will collaborate with the sector to roll out these changes and inform both residents and operators about the amendments.

### Community Housing Reform Project

#### Upcoming activities:

- **October 2024:** Online forum to present the outcomes of the Community Housing Reform Project, celebrate the 10th anniversary of the National Regulatory System Community Housing (NRSCH), and recognise providers who have been registered for the past decade.

- **2024-25:**
  - **Compliance scheduling review:** Revise compliance scheduling to provide community housing providers with extended notice of upcoming compliance returns.
  - **Proactive engagement:** Enhance awareness of compliance requirements through proactive engagement with providers.
  - **Site visits:** Resume site visits with the community housing industry to ensure ongoing compliance and support.
  - **Early 2025:** Begin engagement with councils to initiate Queensland State Regulatory System for Community Housing (QSRSCH) compliance assessments.

### Find Registered Accommodation website

The Find Registered Accommodation website offers an easy way for Queenslanders to make informed choices about accommodation.

The site has been based on the existing retirement village comparison website, to help Queenslanders find registered accommodation that offers a food service, a personal care service, or both, in a location of their choice, and that offers, or is near the services and amenities they need.

Only accommodation that is registered with the department is listed on the site, so potential residents can be linked to accommodation that is assessed for a safe and clean-living environment, privacy, procedures for protection from abuse and neglect, and a way to raise a complaint.

## Appendix 1

### Regulated Industries

#### Community housing

The National Regulatory System for Community Housing (NRSCH) and Queensland State Regulatory System for Community Housing (QSRSCH) were established in Queensland through the *Housing Act 2003*.

The NRSCH regulates non-government providers of community housing across New South Wales, Queensland, South Australia, Tasmania, Australian Capital Territory and the Northern Territory.

Community housing providers are organisations that deliver social or affordable housing and related services to people on very low, low or moderate incomes. This includes social and affordable housing, Aboriginal and Torres Strait Islander community-controlled organisations, not-for-profit organisations and other specialist housing providers.

The NRSCH aims to ensure a well-governed, well-managed and viable community housing sector that:

- meets the housing needs of tenants,
- provides assurance for government and investors.

The key objectives of the NRSCH are to:

- provide a consistent regulatory environment to support the growth and development of the community housing sector
- pave the way for future housing product development
- reduce the regulatory burden on housing providers working across jurisdictions
- provide a level playing field for providers seeking to enter new jurisdictions.

This regulatory system ensures there are protections for tenants and assets with a Registrar for community housing in Queensland with powers to intervene and protect.

In addition to the NRSCH, the Registrar has oversight of QSRSCH, which is the system for regulating local government and prescribed state providers of community housing, including Indigenous councils.

All local governments funded under the *Housing Act 2003* to provide community housing in Queensland must be registered under the QSRSCH to continue their funding relationship. This ensures that local government providers meet national service standards and are held to the same industry-based performance outcomes as nationally registered providers.

The tier of a NRSCH provider's registration is determined by an entity's level of risk arising from the scale and scope of its community housing activities, which in turn determines the intensity of regulatory engagement and oversight.

- **Tier 1:** Providers engage in activities that mean they manage a higher level of risk. They operate on a large scale and conduct ongoing development activities at scale. They face the highest level of performance requirements and regulatory engagement.
- **Tier 2:** Providers have an intermediate level of performance requirements as they are deemed to be operating on a moderate scale with small scale development activity that may impact on the viability of the provider.
- **Tier 3:** Providers face the lowest level of performance requirements, reflecting the fact that they have a small number of community housing dwellings and any development they undertake (if any) is of a very small/one-off nature.



## Manufactured homes (residential parks)

The manufactured homes (residential parks) industry has experienced steady growth in Queensland over the last ten years. Targeted to over 50s, the popularity of 'lifestyle villages' is driven by factors including the relative affordability of homes, their low maintenance, location, often with extensive community facilities and services, and as an alternative to retirement villages.

The legal relationship between the owner of a residential park and the owner of a manufactured home positioned on a site in that residential park, is set out in the site agreement and is regulated by *Manufactured Homes (Residential Parks) Act 2003* (the Act).

The main objective of the Act is to regulate, and promote fair trading practices in the operation of manufactured homes (residential parks) to:

- protect home owners from unfair business practices
- enable home owners, and prospective home owners to make informed choices by being fully aware of their rights and responsibilities in their relationship with park owners.

These objectives are advanced by describing home owners' and park owners' rights and obligations, facilitating disclosure of information and regulating the site agreements, sale of abandoned manufactured homes and variation of site rent.

The Act's objectives also include supporting the growth and viability of the residential park industry and providing a clear regulatory framework to ensure certainty for the residential park industry in planning for future expansion.

## Residential services

A residential service provides accommodation for four or more people who live in one or more rooms and individually pay rent. They are an integral part of Queensland's housing sector, with a long history of assisting Queenslanders.

A residential service is also known as a boarding house, aged rental scheme or supported accommodation. Accredited residential service providers are located across Queensland, though primarily in major population centres.

Residents living in residential services are among the most vulnerable people in the community. They include people who are on very low incomes, those with intellectual or physical impairments, disabilities, drug and alcohol problems, and those who are elderly and/or are experiencing social isolation.

Typically, each resident has the right to occupy one or more rooms, but not the whole premises, and share facilities with other residents. Shared facilities can include kitchens, bathrooms or living/common areas.

Residential services are registered and accredited under the *Residential Services (Accreditation) Act 2002* (the RSA Act). The object of the RSA Act is to regulate the conduct of residential services to protect the health, safety and basic freedoms of residents; encourage service providers to continually improve the way they conduct residential services; and support fair trading in the residential service industry.

Exemptions apply to certain accommodation models that would otherwise be captured by the RSA Act's definition of a residential service. These include accommodation provided mainly to students, tourists, travellers, and holidaymakers. Further exemptions apply to certain services conducted by government departments or if funding is provided by a government department under certain Acts.

Regulatory Services is responsible for the registration and accreditation of residential services in Queensland. In addition to inspections linked to service accreditation, we conduct regular inspections of services to ensure they are complying with the requirements of the RSA Act and the regulation.

The level of accreditation required for service providers is aligned to service offering:

- **Level 1 Accreditation** – Service providers, who provide only residential services.
- **Level 2 Accreditation** – Service providers, who provide food as part of the service offering.



- **Level 3 Accreditation** – Service providers, who offer the provision of personal care services.

### **Retirement villages**

Retirement villages are premises where a community of seniors live in independent living units or serviced apartments and share common facilities and amenities. They cater for retirees and older members of the community who can live independently. In some villages, personal care and support services can be purchased for a fee. Retirement villages do not receive government funding.

Buying into a retirement village is a lifestyle decision and is different from owning your own home or renting. In most cases, residents do not purchase the property title to the unit, instead they purchase a right to live in a retirement village unit and the right to benefit from the facilities the village offers. Generally, the cost of providing the unit and lifestyle exceeds the amount residents pay when they move into a retirement village. The scheme operator recovers the balance through an exit fee payable when residents leave a village.

Retirement villages are registered under the RV Act. The main objectives of the RV Act are to:

- promote consumer protection and fair-trading practices in operating retirement villages and in supplying services to residents by declaring rights and obligations of residents and scheme operators
- facilitate the disclosure of information to prospective residents of a retirement village to ensure the rights and obligations of the residents and scheme operator may be easily understood
- encourage the continued growth and viability of the retirement village industry in the state
- encourage the adoption of best practice standards by the retirement village industry
- provide a clear regulatory framework to ensure certainty for the retirement village industry in planning for future expansion
- facilitate participation by residents, who want to be involved, in the affairs of retirement villages
- provide processes for resolving disputes between residents and scheme operators.

Retirement villages have been increasingly catering for older people requiring aged care and community support services. This has resulted in a growing number of villages being built with integrated residential aged care or built with serviced apartments and assisted living units.

The department is responsible for registration and termination of registration of retirement villages in Queensland.

## Appendix 2

### Queensland regulatory best model practices

#### Model practice 1

##### Ensure regulatory activity is proportionate to risk and minimises unnecessary burden

- A proportionate approach is applied to compliance activities, engagement and regulatory enforcement actions.
- Regulators do not unnecessarily impose on regulated entities.
- Regulatory approaches are updated and informed by intelligence gathering so that effort is focused on risk.

#### Model practice 2

##### Consult and engage meaningfully with stakeholders

- Formal and informal consultation and engagement mechanisms are in place to allow for the full range of stakeholder input and government decision making circumstances.
- Engagement is undertaken in ways that helps regulators develop a genuine understanding of the operating environment of regulated entities.
- Cooperative and collaborative relationships are established with stakeholders, including other regulators, to promote trust and improve the efficiency and effectiveness of the regulatory framework.

#### Model practice 3

##### Provide appropriate information and support to help compliance

- Clear and timely guidance and support is accessible to stakeholders and tailored to meet the needs of the target audience.
- Advice is consistent and, where appropriate, decisions are communicated in a manner that clearly articulates what is required to achieve compliance.
- Where appropriate, regulatory approaches are tailored to ensure compliance activities do not disproportionately burden particular stakeholders (e.g., small business) or require specialist advice.

#### Model practice 4

##### Commit to continuous improvement

- Regular review of the approach to regulatory activities, collaboration with stakeholders and other regulators to ensure it is appropriately risk based, leverages technological innovation and remains the best approach to achieving policy outcomes.
- To the extent possible, reform of regulatory activities is prioritised on the basis of impact on stakeholders and the community.
- Staff have the necessary training and support to effectively, efficiently and consistently perform their duties.

#### Model practice 5

##### Be transparent and accountable with actions

- Where appropriate, regulatory frameworks and timeframes for making regulatory decisions are published to provide certainty to stakeholders.
- Decisions are provided in a timely manner, clearly articulating expectations and the underlying reasons for decisions.
- Indicators of regulator performance are publicly available.