

# EMERGENCY RESPONSE REGULATION: general increase day between 25 September and 31 December 2020

## IMPORTANT NOTE

This factsheet only applies to a [Form 12 General Increase Notice](#) given between 25 September and 31 December 2020. You can find the general increase day under 'Key dates' at the bottom of page 2 of the Form 12 that the park owner issued to you. If you were given the Form 12 on a date outside this timeframe, please see our [other factsheets](#) covering periods between 19 March and 31 December 2020.

## NEW LEGISLATION

The [Manufactured Homes \(Residential Parks\) \(COVID-19 Emergency Response\) Regulation 2020 \(Qld\)](#) (Emergency Response Regulation) became law on Friday 25 September 2020.

The Emergency Response Regulation will apply to home owners in residential parks in Queensland whose site rent increased (or was proposed to increase) on the basis of a market rent review between 19 March and 31 December 2020. The way it applies to home owners differs, depending on the date the Form 12 General Increase Notice was given and the general increase day in the Form 12.

The Emergency Response Regulation bans all site rent increases based on market rent reviews between 25 September and 31 December 2020.

However, the site rent may be increased according to the consumer price index (CPI) in this period if the park owner gives the home owner a notice. The notice must state:

- that the site rent is increasing on the basis of an increase in the CPI under this regulation
- the amount of the site rent increase
- the day the site rent increase starts
- that the park owner may undertake a market rent review for which the general increase day will be at least 1 year from the day the site rent would have increased if this regulation had not been made.

If you are given this notice, your site rent will be increased by the CPI from the day the increase starts.

The increase of site rent must be based on the annual CPI change published by the Australian Bureau of Statistics for the quarter that ended immediately before the day that is 14 days before the day the notice is given.

**Example 1:** A notice is given on 1 October 2020. Fourteen days before 1 October is 17 September. The site rent increase on the basis of an increase in the CPI will be based on the annual CPI change published for June 2019 to June 2020.

**Example 2:** The notice is given under subsection (2) on 15 December 2020. Fourteen days before 15 December is 1 December. The site rent increase on the basis of an increase in the CPI will be based on the annual CPI change published for September 2019 to September 2020.

## WHAT IF I THINK THE CPI INCREASE IS INCORRECT OR EXCESSIVE?

If you think the CPI increase is incorrect or excessive, you should get legal advice. It is possible that you may have grounds to start a dispute resolution process, or you may have grounds to make a complaint to the Regulatory Services Unit within the Department of Housing and Public Works. See our [Making a Complaint to Regulatory Services factsheet](#) for further information.

## FURTHER INFORMATION

The explanatory note to the Emergency Response Regulation provide a plain-English overview:

[www.legislation.qld.gov.au/view/pdf/published.exp/sl-2020-0057](http://www.legislation.qld.gov.au/view/pdf/published.exp/sl-2020-0057)

The Queensland Government has released information on 'Rent increases during COVID-19' on their Business Queensland website:

[www.business.qld.gov.au/industries/service-industries-professionals/housing-accommodation/managing-manufactured-homes/rent-increases-covid-19](http://www.business.qld.gov.au/industries/service-industries-professionals/housing-accommodation/managing-manufactured-homes/rent-increases-covid-19)

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This information is current at October 2020.

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