RESIDENTIAL (LAND LEASE) COMMUNITIES ACT 2013

Preparation checklist for Operators

Are you ready for the new laws?

☐ Have you read the new **rules of conduct** for operators?

☐ Do you have copies of the new **site agreement** and site **condition report** ready for use for agreements entered into on or after the new laws start on 1 November 2015? (NB: the $15 fee for agreements will no longer be able to be charged)

☐ Have you **reviewed your existing agreements** to see if any terms are no longer enforceable because of the new laws (e.g. compulsory insurance) and advised your residents accordingly?

☐ Have you got a copy of the new **disclosure statement** which will need to be given to prospective home owners and thought about how you will fill it out?

☐ Have you got copies of the '**Moving into a Land Lease Community?' brochure** produced by NSW Fair Trading which will also need to be given out at or before the time a disclosure statement is supplied?

☐ Have you familiarised yourself with the other **approved forms** and **model guidelines** available on the Fair Trading website?

☐ If you plan to act as a selling agent do you have a written **selling agency agreement** to use and have you set up the required **trust account** to deposit monies received?

☐ Do you understand the changes to the law regarding the charging and billing for service availability and usage of **utilities**?

☐ Do you have **emergency evacuation procedures** in place and have you taken reasonable steps to ensure residents are aware of these procedures?

☐ Do you understand the reforms relating to **increasing site fees** and how disputes in this area will now be handled?

☐ Are you aware that a **park liaison committee** will automatically become a 'residents committee', unless you have both in which case only the **residents committee** will remain?

☐ Have you reviewed your **community rules** (park rules) to ensure that they comply with the new laws and do not contain any rules that are prohibited, unfair or not clearly written? You may also wish to consider adopting the model rules published by NSW Fair Trading