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Regulator
Performance Report
2022-23



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Regulator Performance Report – Regulatory Services, Department of Housing, Housing and Homelessness Services, 2022-2023

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Message from the Registrar

I am pleased to present the FY 2022-23 Performance Report for Regulatory Services, Department of Housing. This report summarises the progress made over the past 12 months in implementing the Queensland Government's Regulator Performance Framework model practices.

This report takes on a different format from previous years, with a focus on highlighting our key achievements and sharing some industry insights. As our information and data capabilities increase over the coming years, I hope to share more insights and deliver increased value for our regulatory stakeholders.

Regulatory Services' vision is to build thriving communities by ensuring all Queenslanders have a safe, secure, and affordable home. We will achieve this by ensuring industry is compliant, capable, and working collaboratively with Government to proactively improve the way services are delivered for their residents.

During my first six months in the role, I had the pleasure of meeting many of our key regulatory stakeholders including peak bodies, service providers, government colleagues, and most importantly, the residents that live within the sectors we regulate.

Through these discussions, I gained an understanding for the challenges and opportunities inherent within the housing system, and the role the Regulatory Services team can play in facilitating improved outcomes for residents, services providers, and government.

In response, I have set some bold targets for the future of Regulatory Services to become a truly modern regulator. Over the coming year I hope to work even closer with you to streamline our processes, look for opportunities to facilitate increased compliance and provide more educational information to both residents and services providers.

This year we all felt the impacts of a post COVID economic climate. Consecutive interest rate rises and inflationary pressures has seen the closure of services and significant increases in rent for residents, especially those living within residential services and residential parks. Regulatory Services will continue to provide information and guidance to residents and investigate complaints in these unstable times, particularly if they have concerns around the way their rent has been calculated by their accommodation service providers.

Thank you for welcoming me to the role, and I look forward to working with you all in the year ahead.

Karl Frank

Executive Director,
Regulatory Services and Queensland Community Housing Registrar

Summary

Queensland's Regulated Sectors and Regulatory Activity

At 30 June 2023, Regulatory Services had regulatory oversight of 875 entities delivering community managed housing (CH), retirement village accommodation (RV), residential parks (RP) and residential services (RS) across Queensland.

These entities delivered 75,849 units of accommodation to 106,189 Queenslanders (approx.) throughout the State. ^[1]

FY 2022-23 Regulatory Activity Snapshot

All data is based on the period 1 July 2022 to 30 June 2023.

Retirement Villages

- 5 new villages registered comprising of 327 accommodation units
- 3 villages closed
- 647 village Comparison Documents reviewed
- 17 villages visited through a targeted compliance program
- 77 compliance matters investigated

Residential Services

- 1 service gained initial accreditation
- 21 services de-registered (22% reduction from prior FY)
- 98 services with accreditation renewed
- 106 compliance matters investigated

Manufactured Homes (Residential Parks)

- 5 new parks recorded
- 9 parks exited
- 41 residential parks visited to investigate compliance breaches (71% increase from prior FY)
- 64 compliance matters investigated

Community Housing

- 52 compliance assessments scheduled
- 46 compliance assessment completed
- 6 assessment returns deferred to next year

Housing Act Reviews Team

The Housing Act Reviews Team (HART) respond to requests by social housing recipients, on decisions that the department has made about a person's eligibility for a social housing service, the type of social housing offered or the location of that dwelling (under *Housing Act 2003*, Part 6).

- 474 enquiries
- 114 reviewable decisions
- 165 contacts and referrals to Queensland Ombudsman Office

^[1] The number of Queenslanders in CH, RS, MH and RV is 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 is by using a multiple of 1.4 which is the average number of people per household. ^[2] Total number of Queenslanders housed in accommodation managed by Regulated Services (approx.) including CHP's registered under National Regulatory System Providers (NRSCH) and Queensland State Regulatory System for Community Housing (QSRCH).

Introduction

The Regulator Performance Report by the Department of Housing provides valuable insights into Regulatory Services' operations throughout FY 2022-23, including actions undertaken by Regulatory Services, the outcomes of our actions and the impact this activity will have on Queensland's housing system over time. Queensland's Regulator is committed to making a contribution to creating sustainable, accessible, and thriving communities for the industries we regulate.

This annual report is intended to enhance the department's overall transparency and is complementary to publicly available information, including the Service Delivery Statements, Strategic and Operational Plans, and Annual Reports.

Regulatory Services within the Department of Housing (previously the Department of Communities, Housing and Digital Economies during this reporting period) oversees four critical industry regulatory systems in Queensland for:

- Community Housing provision – administered under the *Housing Act 2003*
- Residential Services – administered under the *Residential Services (Accreditation) Act 2002*
- Manufactured Homes (Residential Parks) – administered under the *Manufactured Homes (Residential Parks) Act 2003*
- Retirement Villages – administered under the *Retirement Villages Act 1999*.

Refer to Appendix 1 for further information about our regulated sectors.

Statement of purpose

To achieve positive regulatory outcomes in Queensland through effective and efficient regulatory practice.

Regulatory Services is dedicated to a flexible and responsive regulatory approach that meets the needs of Queensland's rapidly evolving housing industry. We align ourselves to Queensland's regulatory best practice model which ensures transparency and accountability in the work we do, and the progress we make. This report outlines progress made against these model practices across Regulatory Services' operations this year.

- **Model Practice 1:** Ensure regulatory activity is proportionate to risk and minimises unnecessary burden
- **Model Practice 2:** Consult and engage meaningfully with stakeholders
- **Model Practice 3:** Provide appropriate information and support to help compliance
- **Model Practice 4:** Commit to continuous improvement
- **Model Practice 5:** Be transparent and accountable with actions

Refer to Appendix 2 for details on the model practice framework.

Model Practice 1

Ensure regulatory activity is proportionate to risk and minimises unnecessary burden

Retirement Villages

Document Self-Service Portal

After a successful pilot, the Retirement Villages Regulatory Document Self-Service Portal was made available to the industry on 17 November 2022, and the response was overwhelmingly positive.

This secure gateway between Regulatory Services and retirement village operators allows users to securely submit their Village Comparison Documents (VCDs) in PDF format, upload and manage all forms and documents they need as part of their registration and receive reminder alerts when important information is due to be submitted.

In addition to the VCDs, the department added functionality to the portal allowing for retirement villages to upload their annual financial statements. This streamlined approach minimises the regulatory burden for stakeholders while increasing efficiency in the department's capture, receipting and record-keeping.

This system allows for more efficient and streamlined handling of documents and the Regulator can acknowledge receipt of each document immediately upon successful uploading.

The benefit to industry:

- More reliable access to records, for retirement village operators.
- Information in one central repository, readily available at any time.
- Ability to nominate external representatives to access their repository, including administrative staff, solicitors or accountants acting on their behalf.
- Automated reminder alerts to ensure that important milestone submission dates are not overlooked.

Efficiencies:

- Regulatory Services' quantitative analysis revealed that receiving Village Comparison Documents (VCDs) via the portal can save approximately 30 minutes per document set, compared to the traditional process.
- With over 700 VCDs submitted annually, this can represent almost 47 days of saved administrative hours every year across the industry.
- That saved time mean that resources can be focused on vital programs including trend analysis, emerging risk identification and industry engagement.

Residential Services

New Online Contact Form

The new residential services secure online contact details form has been developed to allow providers to ensure their details are correct, current, and easily maintained for their residential service.

These details will be displayed on the new Find Registered Accommodation website, which is due to launch in FY 2023-24.

QDC MP5.7 Building Compliance Notice review

Regulatory Services worked with the Department of Energy and Public Works to progress the review of the Queensland Development Code building requirements for residential services (MP5.7).

Aligning the new development code with contemporary standards is key to ensuring its relevance and applicability in today's residential services industry.

Community Housing

Risk Based Compliance

Regulatory Services continues to review their approach to documentary requirements applicable at time of compliance. A provider's risk rating is appropriate to their tiering, under the NRSCH framework.

As at 30 June 2023, there were 82 NRSCH registered and 13 QRSCH registered Community Housing Providers (CHPs), with Queensland as their primary jurisdiction. Below indicates the tiering allocation of NRSCH registered providers:

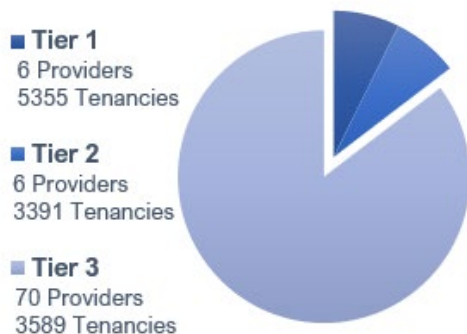


Figure 1 - NRSCH Provider classification by Tiering

Manufactured Homes (Residential Parks)

Industry education activities

Regulatory Services, in collaboration with park owners and industry peak bodies, established the Manufactured Homes Working Group to develop a series of easy-to-use instructional videos and other materials to help the owners of homes in residential parks.

The instructional videos are easily accessible and serve to build capacity for homeowner committees, while assisting with effective and respectful dispute resolution. The videos detail best practice processes and help audiences understand what's expected when advised of a site rent increase, or market rent review. The videos cover:

- site rent
- market rent
- dispute resolution

These videos are due for release in FY 2023-24 and will be published on the department's website and the Housing for Queensland YouTube channel.

The Working Group also contributed to the content and development of the home owners committee handbook. Launched in December 2022. This handbook provides key information for members of a residential park, Home Owners Committee (HOC) or anyone thinking of starting one.

Model Practice 2

Consult and engage meaningfully with stakeholders

Customer Connect

Our new department addition

In line with our commitment to increase accessibility and better connect with our stakeholders, in March 2023 Customer Connect, a new team within Regulatory Services, was created.

The Customer Connect team is the first point of contact for all Regulatory Services enquiries and correspondence. A customer centric and standardised approach is applied to all incoming calls, emails, and correspondence received from providers, representative bodies, tenants, inter-government agencies and the general public.

By having a dedicated team focused on delivering accurate and timely responses, providers will notice the difference as “ask once and receive an answer” becomes the new way we do business.

Contact the team on:

Telephone: 07 3013 2666

Email: RegulatoryServices@housing.qld.gov.au

The benefit to industry:

Improved customer service:

- Team members will be selected for their customer centric attitude and resourced to provide prompt responses to queries.
- Customer queries will be met with clear next steps and timeframes, resulting in faster access to useful and actionable information for the communities we serve.
- Queries will be directed to the appropriate government agency or service for prompt assistance.

Efficiencies:

- Since March 2023 Customer Connect has assessed 1571 phone, email and postal enquiries.
- Customer Connect managed 65% of Regulatory Service contacts, at first point of contact.

Residential Services

Disability Accommodation Providers (DAP) Project

The DAP project was established to raise service provider awareness of the changes to registration requirements under the *Residential Services Accreditation Act 2002*.

To facilitate this project, an interagency working group was established to engage with disability accommodation providers, peak industry bodies and key government agencies to understand the impact of these changes on industry providers. This engagement will continue throughout FY 2023-24.

Please see 'Key Projects for FY 2023-24' of this report for more information on this activity.

Community Housing

Greater Collaboration

Regulatory Services seeks to align our practices, where possible, with other jurisdictions operating under the National Regulatory System for Community Housing (NRSCH). Representatives from our team meet regularly with members from the Operational Leadership Group to address operational issues relating to registration and compliance, and to implement the Registrars approved annual workplan.

By collaborating with regulators from other jurisdictions, the department is developing a consistent approach to inter-state registration and compliance processes. This will translate into a more complementary provider experience for Queensland's existing providers and attract registrations from provider's operating elsewhere in Australia.

The long-term benefit will be a growth of the sector, and increased stock to support vulnerable Queenslanders.

Manufactured Homes

Consultation Regulatory Impact Statement (C-RIS) – Site rent increases and sale of homes

Regulatory Services co-facilitated the manufactured home owners community consultation groups of the C-RIS, in Cairns, Maryborough, Caboolture and Gold Coast.

This activity was vital to the department as it sought feedback from manufactured home owners' perspective about areas of the *Manufactured Homes (Residential Parks) Act 2003*, where there is potential to be improved upon.

This activity provided an opportunity for the community, manufactured home owners and residential park operators to put forward their views on the proposed policy changes and their concerns about the effectiveness of the existing consumer protections and industry practices.

Model Practice 3

Provide appropriate information and support to help compliance

Retirement Villages

Village Comparison Website

A continuous evaluation of our approach to regulatory activities ensures that they are risk-based, incorporate new technology and futureproof our efforts.

The Compare Retirement Villages website was launched in November 2022.

The website provides prospective residents and their families the ability to search for a village that suits their needs.

The site provides comparative information for each registered retirement village in Queensland, allowing users to:

- Compare retirement villages based on location, services and facilities
- Map public amenities such as health facilities, shops and public transport near retirement villages
- Find information about buying a unit in a retirement village and see example fee scenarios
- Access in one place Village Comparison Documents for each retirement village
- The website does not favour any village or offer ratings or recommendations but helps users make informed decisions.
- In its first seven months, the site has helped over 6,000 people.

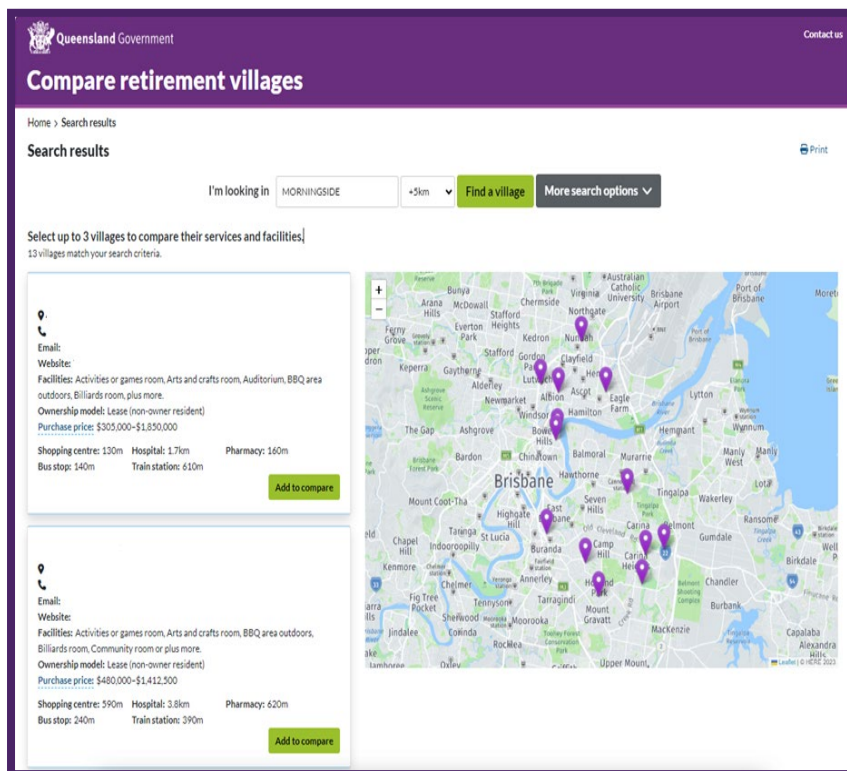


Figure 2 - Example of Compare Retirement Villages Website

Model Practice 4

Commit to continuous improvement

Retirement Villages

Release of Regulatory Guidelines

Together with industry representatives Regulatory Services created guidance material to address the most pressing issues identified through our engagement pieces.

The following guidelines have been published:

How to calculate the Costs for Selling after Termination

This guideline assists retirement village operators calculate the percentage of costs payable by the operator and the former resident after termination for 2 situations:

- fees that former residents are required to pay after termination
- for the costs of the operator selling a right to reside in a retirement village

Insurance Excess Payments

- provides guidance on which retirement village fund an operator should pay from when making an excess payment for a claim on an insurance policy for damage or loss of retirement village property.

Costs of Sale

- provides guidance about the costs an operator can charge a former resident when reselling their unit.

Exit Entitlement Statements

- provides guidance about what information should be included in an exit entitlement statement.

The benefit to industry:

Improved outcomes in retirement villages:

- Through targeted compliance programs, Regulatory Analysts will continue to visit residents, resident committees and scheme operators to educate and better inform them of current legislative obligations.

The new guidelines are available on the department's website and have been issued to village operators and resident committees.

Housing Act Reviews Team

The Housing Act Review Team (HART) has carriage of governing and enforcing the following:

- Reviewable Decisions under Part 6 of the *Housing Act 2003*
- Administration and Investigations under Part 7 of the *Housing Act 2003*
- Compliance of Customer Obligations under the *Housing Act 2003*

The HART team also have highly developed regulatory and enforcement capabilities and detailed knowledge of the workings of the Office of the Queensland Ombudsman, having managed the departmental liaison relationship with the Office of the Queensland Ombudsman prior to becoming part of Regulatory Services in FY2020-21. This adds considerable experience and capabilities for Regulatory Services as a whole.

Community Housing

Special Purpose Vehicles (SPVs)

Providers are increasingly looking to register subsidiary or affiliated entities known as SPVs. SPVs are often established to ring fence financial risk and this tactic is receiving growing support from Housing Australia.

To remain agile in the face of developments in the sector, analysts from our Community Housing team will be participating in the national working group for SPVs.

The initiative is scheduled to commence early FY 2023-24, with the objective of developing standardised guidelines and operational processes for registration and ongoing compliance.

This collaboration will lead to a more streamlined experience for community housing providers wanting to register SPVs across multiple jurisdictions.

Manufactured Homes

Emergency Plan Compliance Visits

Manufactured Homes (Residential Parks) Regulation 2017 requires that the park owner for a residential park must ensure a written record of each emergency procedure test for the park is kept as well as ensuring an emergency plan is to be displayed on a notice board.

The safety of park residents is paramount.

A considerable investment of staffing resource was allocated to emergency plan compliance visits this financial year.

Regulatory Services visited 30 parks within Southeast Queensland, to assist with compliance activities, ensuring that park owners had written records of each emergency procedure test for the park, and that emergency plans were adequately marked and clearly displayed on park notice boards.

Model Practice 5

Be transparent and accountable with actions

Professional Development

Supporting our Staff

- We are committed to ensuring ongoing learning and development opportunities are accessible to our staff. Team members are encouraged to participate in formal and informal learning throughout the year.
- By investing in our people, we ensure that we are developing a workforce that is flexible, skilled and accountable.

Benefit to industry:

By being transparent and accountable for areas of improvement we are able to keep ourselves open to industry feedback, which is critical to us becoming a modern regulator.

The valuable insights we receive through surveys, workshops, industry events and other opportunities help us identify our strengths and areas for improvement.

We will continue to take guidance from delivery partners and industry and use it to prioritise our work schedules and direct the course of our improvement. Going forward we hope to tailor our activities to better support providers in the areas they need it most.

Key Achievements

Outcomes that highlight our commitment to creating sustainable, accessible, and thriving communities for the industries we regulate.

Funds back into retirees' pockets

Regulatory Services is responsible for ensuring residential services, retirement villages and manufactured home parks operate within legislation and the best interests of residents.

Over the last 12 months, our financial analysts have achieved a great result for retired Queenslanders.

Through their investigations, compliance activities, and in collaboration with the retirement village operators, our analysts have been able to credit close to \$1,000,000 in excess or incorrect charges back to village fund accounts, which translates into savings for village residents.

Place-based support for Regional Queenslanders

Research indicates that a place-based approach to community support, provides effective outcomes and improves social, economic and physical wellbeing in a particular location.

In late 2022, Regulatory Services noted an increased demand for support for residential services in Townsville, Queensland.

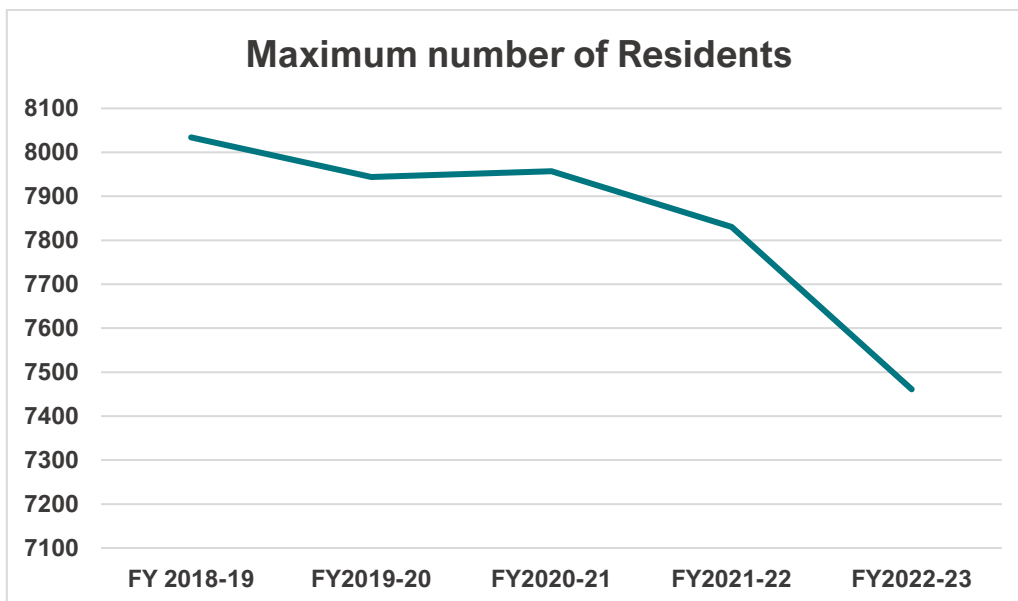
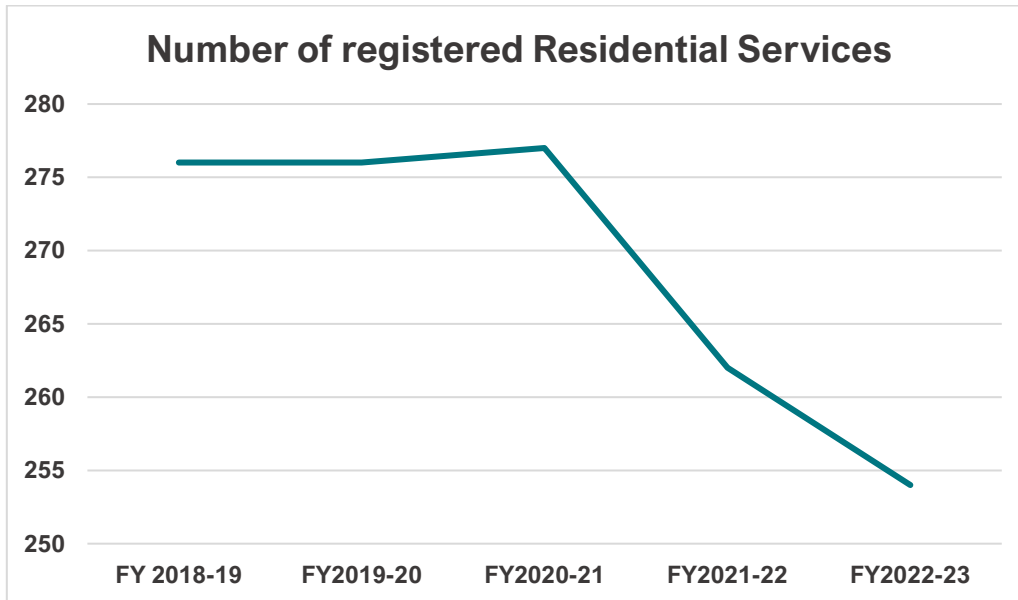
To address this issue, the Residential Services team dispatched a staffing resource to the region on a part time basis and commenced a six-month placement trial.

The trial has provided increased stakeholder engagement, and responsive on-the-ground support for residential service providers and residents alike. This has led to requests for advice and complaints being more promptly addressed and consequently, the trial is being extended for a further six months.

Insights

A look at Queensland's industry over the past five years.

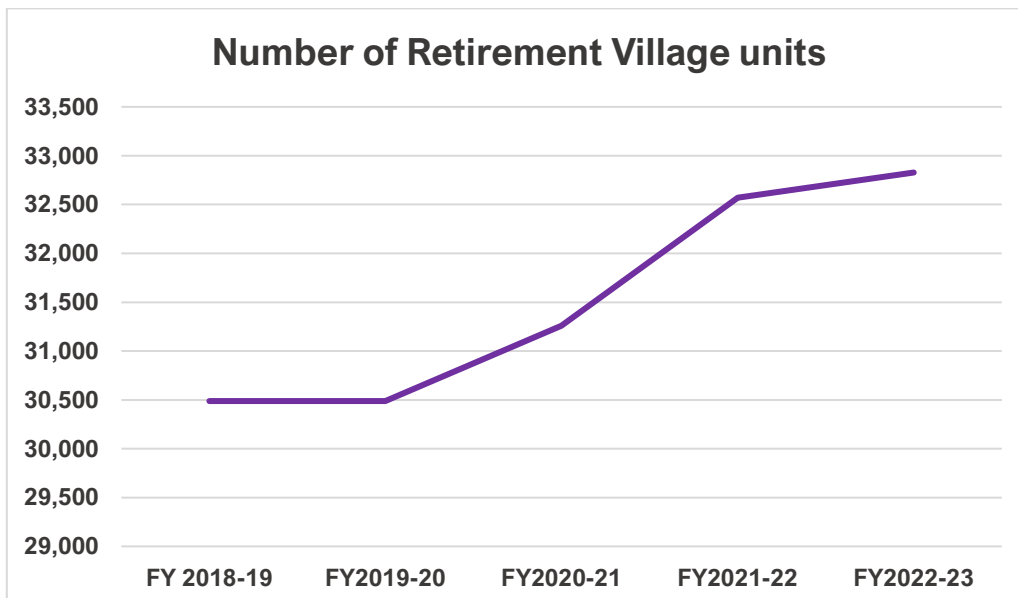
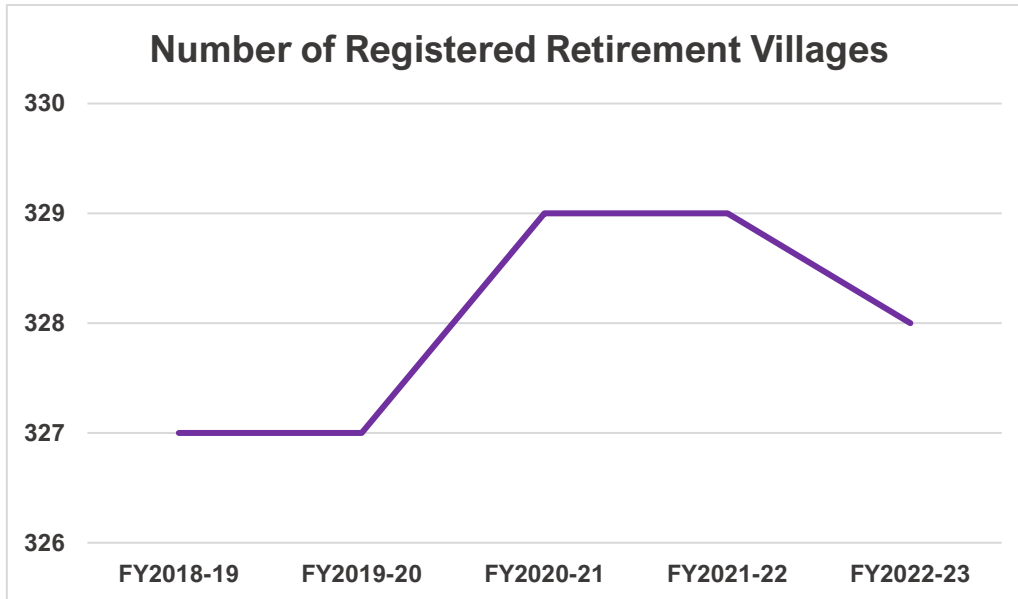
Residential Services



A downward trend in the number of registered residential services and residents, can be attributed to the rising costs of running a residential service, as well as the ageing demographic of the owner cohort. Through our engagement with service providers we have been advised that as some age they are looking to leave the industry or decrease service levels to minimum service provision.

Since FY2020-21, three service providers advised that they removed their Level 2 services due to the cost-of-living pressures. These providers elected to cancel their registration but as units were self-contained approximately 140 residents have retained their housing. 13 service providers have retired from the industry for personal reasons and sold their properties to private owners who converted them back to general tenancy. Two properties received extensive damage in extreme weather events and were permanently closed. Some properties have been converted to student or seasonal worker accommodation. Two properties were closed due to non-compliance issues with local council.

Retirement Villages



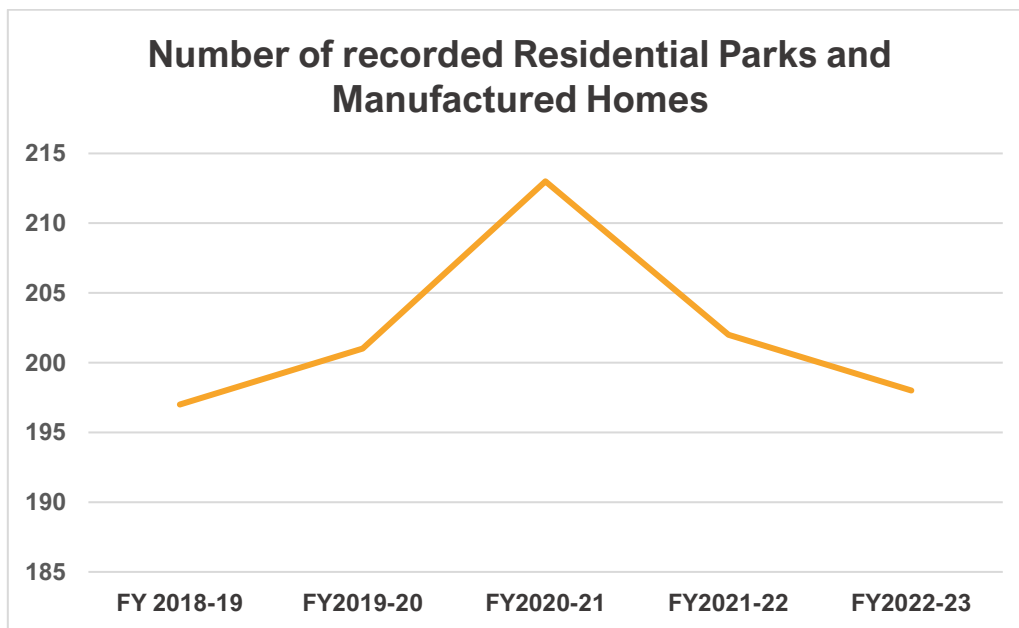
Industry data depicts only a slight reduction in the total number of Queensland registered retirement villages for the year but an overall increase in the number of retirement village accommodation units. Three retirement village registrations were cancelled by service providers during FY2022-23. These were older style villages with smaller accommodation units and less facilities than most accommodation units in today's market. The operators of these villages cited financial viability as a reason for closure.

Regulatory Services have also started to see a number of these smaller villages diversify their operations, and converting to rental accommodation, therefore no longer requiring registration as a retirement village scheme.

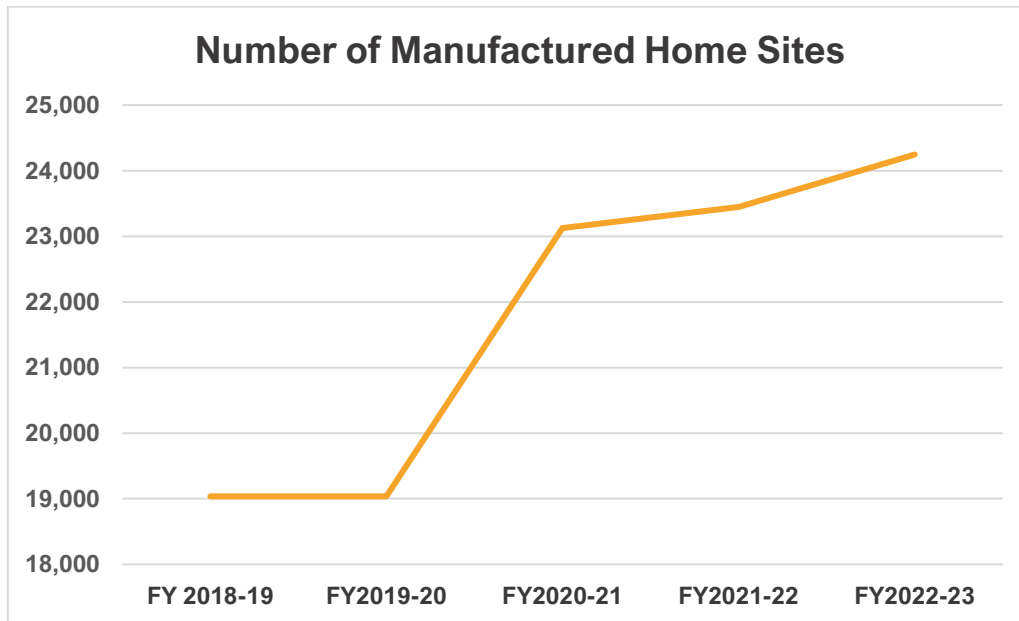
Although three retirement village registrations were cancelled, there were two new village registrations. These new registrations, as well as a trend towards village redevelopment, have resulted in an overall increase in the number of retirement village accommodation units across the state.

Regulatory Services have noticed an increase in the prevalence of vertical retirement village developments, particularly in higher density areas, which contribute to the increase in the number of retirement village units.

Residential Parks

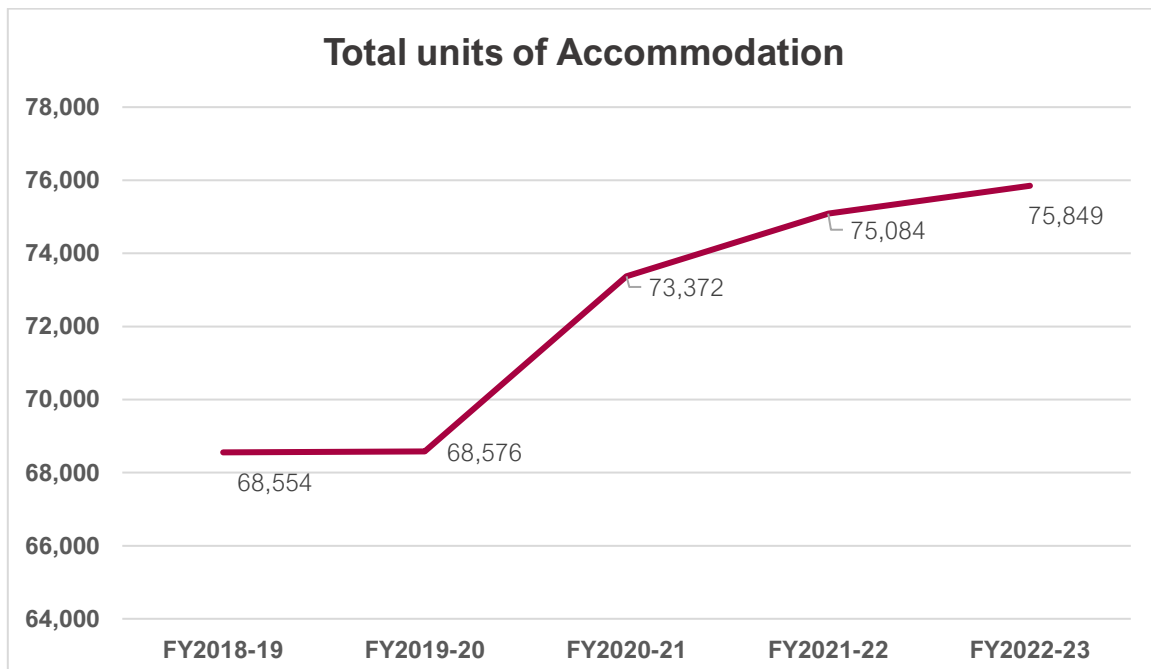


In 2021, Regulatory Services undertook a data cleansing exercise where correspondence was sent to residential park operators to confirm their recorded details. This activity resulted in some park operators confirming that they did not offer any sites for occupancy by manufactured home, and those parks were subsequently removed from the list of recorded manufactured home parks. A further data cleansing exercise was conducted in 2023 and similar exercises will continue periodically into the future.



The above graph illustrates the increased number of sites available for occupancy in manufactured homes, as a result of ongoing private investment into expanding the capacity of existing residential parks and the construction of new manufactured home parks.

Regulated Services Combined



The total number of units of accommodation regulated by Regulatory Services has continued to grow over the past four years due to redevelopment of existing retirement villages, a growing residential parks industry and increased funding available to community housing providers from all levels of government. It is anticipated that the sector will continue to grow as the demand for these services increases over the next decade. Regulatory Services will continue to review how we deliver our services to best support this growth.

Looking forward

Building on strong foundations for the year ahead

Over the past year we have achieved significant milestones across several areas of our operations. In particular, we have made improvements in internal and external capacity and competency building initiatives, as well as expanding on programs that support affordable housing and community development.

As we reflect on the accomplishments of the past year, we also look forward to the opportunities and challenges that lie ahead. FY 2023-24 promises to be a period of continued growth and innovation, with a renewed focus on continuing to deliver on the *Queensland Housing and Homelessness Action Plan 2021-2025*.

The approach we will take to ensure we deliver our objectives for next year:

- Build trusted relationships through increased engagement
- Deliver through partnerships with peak bodies
- Focus on the delivery of value over activity
- Focusing on results through a structured business management and planning framework
- Use data and intel to inform our decisions

Key projects for FY 2023-24

Residential Services

Disability Accommodation Providers (DAP)

Prior to the implementation of the National Disability Insurance Scheme, disability service providers who received government funding under the Disability Services Act 2006 were excluded from the definition of a residential service under the Residential Services (Accreditation) Act 2002 (RSA Act).

The DAP project aims to achieve a better understanding of provider accommodation portfolios and the requirements to achieve registration as a residential service under the RSA Act 2002.

Regulatory Services commenced state-wide engagement with disability accommodation providers who deliver accommodation services and now require registration as a residential service. An introduction of the interagency working group and engagement with disability accommodation providers is discussed earlier in this report under Model Practice 2.

The DAP project will progress these works as a priority, early FY2023-24.

Community Housing

End-to-end process review

It was identified that the current Community Housing registration and compliance procedures no longer provide the most effective way of servicing Community Housing providers, registered under the NRSCH scheme.

A project review team has been established to evaluate current operations and recommend the best approach for overall process improvement. It will be conducting a comprehensive review of the current community housing operations and seek feedback from neighbouring jurisdictions, interdependent government departments, industry providers and key internal personnel.

Through these consultations inefficiencies and pain-points will be identified, and solutions pressure tested to understand if the proposed improvements meet with the project's objectives, of a more streamlined experience for our providers.

The Community Housing team will begin roll-out of the approved process improvements in Q3 of FY 2023-24.

Residential Parks

Notification of Breach Online Form

Regulatory Services is progressing the development of an online form for manufactured home owners and their advocates to use to notify the regulator of potential breaches of *the Manufactured Homes (Residential Parks) Act 2003* by residential park operators. The online form will replace the existing manual form and is more prescriptive in that it will guide the user in what information needs to be provided to assist Regulatory Services to be more efficient in assessing the matter. Regulatory Services will prepare a communication plan to support the release of the online form and will work with peak bodies representing Homeowners and Park Operators to transition homeowners to the use of the online form.

Retirement Villages

Introduction of electronic Village Comparison Document (eVCD)

The implementation of the eVCD is a significant advancement which is expected to result in improved accuracy, automated data management and user convenience.

The introduction of the eVCD presents significant advantages for both regulatory personnel and village operators. Key highlights include:

- **Enhanced Standards:** The eVCD maintains a higher standard compared to its paper-based counterpart. Numerous business rules embedded in the form facilitate precise data input, ensuring accuracy and compliance.
- **User Convenience:** Users can save their inputs at any point, allowing them to resume the process later without the risk of data loss. This feature enhances the overall user experience and flexibility.
- **Regular Updates:** Specific parts and fields will be marked annually for operators to update their data. This systematic approach ensures that the information remains current and reflective of evolving conditions.
- **Automated Data Flow:** Following submission, data will be fetched into our systems and seamlessly fed into the village comparison website. This streamlined process enhances efficiency and data accessibility for relevant stakeholders.

Retirement Villages

Release of two Regulatory Guidelines

In response to research gathered from enquiries and industry data, Regulatory Services are developing two additional guidelines to assist industry with the interpretation and application of legislative requirements.

These guidelines are:

- Managing a retirement village surplus or deficit
- Retirement village capital replacement fund balance and contributions

The new guidelines will be published on the department's website, as well as issued to village operators and resident committees.


Feedback

Regulatory Services invites feedback, questions and suggestions on content contained in this report.

Please feel free to contact us through the following channels:

 **Email:** RegulatoryServices@housing.qld.gov.au

 **Phone:** 07 3013 2666

 **Postal address:** Regulatory Services, Department of Housing,
PO Box 690, Brisbane, Queensland 4001

Appendix 1

Industries We Regulate

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 providers of community housing. 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, for profit organisations and other specialist housing providers.

The National Regulatory System for Community Housing (NRSCH) aims to ensure a well governed, well managed and viable community housing sector that:

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

The NRSCH represents the national system for the regulation of community housing providers across New South Wales, Queensland, South Australia, Tasmania, Australian Capital Territory and the Northern Territory.

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 by establishing the Registrar for Community Housing in Queensland with powers to intervene and protect.

In addition to the NRSCH, the Registrar for Community Housing has oversight of a Queensland State Regulatory System for Community Housing (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 QSRSCH regulates local governments, while the NRSCH regulates non-government organisations.

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 are involved in activities that mean they manage a higher level of risk. They operate on a large scale and conduct on-going 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 at all) is of a very small/one off nature.

Residential Parks

The residential (manufactured home) parks industry has experienced steady growth in Queensland over the last ten years. Targeted to the over 50s market, 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.

At the time of the last major survey of manufactured homeowners in 2013, there were 168 residential parks in Queensland containing 14,000 manufactured home sites. As of 30 June 2022, there were 202 residential parks in Queensland listed on the public register. These parks contained a total of 23,447 manufactured home sites with 99 listed as 'mixed-use', containing both manufactured homes and caravans or other forms of accommodation. The remaining 103 residential parks are listed as 'purpose-built' parks containing only manufactured homes.

Despite a relatively even split of mixed-use and purpose-built parks, purpose-built parks account for approximately 87 per cent of all manufactured home sites. The median number of sites for a mixed-use park is 8 sites with the largest park containing 220 sites. The median number of sites for a purpose-built park is 192 sites with the largest park containing 530 sites.

Purpose-built residential parks are typically marketed as seniors-focused accommodation providing a retirement living and a lifestyle community. At the time of the 2013 survey, 88 per cent of homeowner respondents were aged 65 or over, 90 per cent had an income of under \$40,000 and nine out of ten were receiving a pension or part pension.

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 residential parks to:

- protect homeowners from unfair business practices.
- enable homeowners, and prospective homeowners 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 homeowners' 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

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

Residents living in residential services are amongst some of 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 they share facilities with other residents. Shared facilities can include kitchens, bathrooms or living/common areas. 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.

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 carry out regular inspections of services to ensure they are complying with the requirements of the RSA Act and 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 not the same as 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 *Retirement Villages Act 1999* (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 particular rights and obligations of residents and scheme operators
- Facilitating 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.

- To encourage the continued growth and viability of the retirement village industry in the State
- To encourage the adoption of best practice standards by the retirement village industry
- To provide a clear regulatory framework to ensure certainty for the retirement village industry in planning for future expansion.
- To facilitate participation by residents, who want to be involved, in the affairs of retirement villages.
- To 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.

Regulatory Services is responsible for registration and termination of registration of retirement villages in Queensland. Our analysts carry out regular inspections of retirement villages to ensure they are complying with the RV Act.

Housing Act Review Team

Part 6 of the [Housing Act 2003](#) states that customers can seek a review of decisions (reviewable decisions) about:

Their eligibility for a social housing service, including where:

- the application for social housing is deemed ineligible.
- the transfer application is deemed ineligible.
- you're no longer eligible to remain in public housing (e.g., ongoing eligibility)
- you're no longer eligible to remain in a "reviewable property" (e.g., disability accessible property)

The type of social housing service offered to them, including:

- unit, townhouse, regular detached house, (e.g., ground floor, high-set and/or number of stairs)
- number of bedrooms
- style, amenity or configuration of social housing (e.g., accessibility)

The location of the social housing service, such as:

- suburbs they are allocated or would prefer.
- proximity to a support service
- external environment/needs

The Reviews take many forms based on any of the above factors and subcategories within those areas.

The Reviews investigated by Regulatory Services pertain predominately to decisions regarding eligibility, type and place. Matters pertaining to Service Delivery are primarily managed by the Ombudsman.

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.