

From: contact@engage.vic.gov.au
Sent: Wednesday, 4 December 2019 1:45 PM
To: rvreview@justice.vic.gov.au
Subject: New Form submission on Review of the Retirement Villages Act 1986



New Form submission on Review of the Retirement Villages Act 1986

Hi rvreview@justice.vic.gov.au

There has been a submission on [Review of the Retirement Villages Act 1986](#) through Engage Victoria

A copy of the submission is provided as below:

You can also make your submission by adding comments below. This form will not save, so you may like to prepare your comments in a document.

You may fill out as many or as few of the boxes as you like.

The retirement village sector

When commenting on the retirement village sector you could cover:

- the impact of social and economic trends
- your thoughts and experience of Victoria's retirement village industry as a whole.

For more information and specific questions, see Part 1 of the issues paper or the summary [Retirement village sector and regulatory and policy framework](#).

Your comments about the retirement village sector

I live in a lifestyle village not a retirement village the difference with regulations appears to be very little regulations for a lifestyle village as compared to a retirement village, this seriously needs to be more regulated that it is today. Contracts need to be easier to read and understand. The cost per fortnight is increasing every year but the maintenance and upkeep of the village is not. This needs to be maintained and kept up to date the same as when buying the villa but is now being left to rundown over time due to only 2 caretakers [REDACTED]
[REDACTED]

The regulatory and policy framework for retirement villages

You could cover:

- the effectiveness of the Act
- how retirement villages are defined
- how the retirement village industry is regulated.

For more information and specific questions, see Part 2 of the issues paper or the summary [Retirement village sector and regulatory and policy framework](#).

Your comments about the regulatory and policy framework for retirement villages

As previously stated the lifestyle villages need to be looked at with more regulations as is with the retirement villages. Lifestyle villages are governed by the Caravan Parks Rules and certainly need to be looked at as they seem to be undergoverned and are able to do what they like.

Entering a retirement village

You could cover:

- the process of entering a contract
- cooling-off periods

- the disclosures that operators are required to make
- the complexity of the contract
- financial models for living in a retirement village
- deferred management fees.

For more information and specific questions, see Part 3 of the issues paper or or the summary [Entering a retirement village](#).

Your comments about entering a retirement village

Contracts need to be easier to understand especially explained on signing in plain language. The difference with the resale of the villa as it is being sold by the owner of the villa not the owner of the lifestyle village is also different and not explained either in a contract or verbally when entering into a contract.

Living in a retirement village

You could cover:

- the obligations of village operators
- how villages are governed and managed.

For more information and specific questions, see Part 4 of the issues paper or the summary [Living in a retirement village](#).

Your comments about living in a retirement village

The obligations of the lifestyle village operators as to the upkeep and maintenance of the village and its facilities leaves a lot to be desired once all the villas have been sold when building them has finished. Having been in a village for almost 6 years now all facilities including swimming pool and clubhouse need updating and it looks like this will not be done by the operators. The residents committee and volunteers are increasingly called upon to pay for upkeep, doing work that should be done by staff. Staff did take the operators to VCAT some time ago through HAAG

and won their argument that volunteers should not be doing payed staff work, this is now ignored.

Leaving a retirement village

You could cover:

- the process of selling or re-leasing a unit
- obligations to reinstate or refurbish units
- ongoing charges after the resident leaves
- how capital gains are handled.

For more information and specific questions, see Part 5 of the issues paper or the summary [Leaving a retirement village](#).

Your comments about leaving a retirement village

The process here for selling is done by the operators - however they do not advertise except on their website making it hard for owners to sell their property. Whilst trying to sell property an owner can opt to have a real estate agent sell however they are not allowed to come into the village on their own and must be escorted and only shown the villa and not the facilities. This should be looked at and changed. Also, the site fee payable is deducted by the operator until the villa is sold which could be 12 months or more. This also should be looked at and capped at say 3months or so making the operator take more responsibility to sell said villa.

Dispute resolution

You could cover internal and external dispute resolution processes.

For more information and specific questions, see Part 6 of the issues paper or the summary [Dispute resolution](#).

Your comments about dispute resolution

Due to the caretakers we have and have had for 3 years now, it is very difficult to not only converse with them as they take it that we are making complaints all the time. The operators of this village are based in [REDACTED] so trying to discuss anything with them - all we get back is speak to the caretakers. It becomes a very long process and due to the age of some of the residents they cannot be bothered with the stress it sometimes causes.

The enforcement of rights and responsibilities

You could cover:

- how offences are enforced
- civil rights and remedies that residents may have access to.

For more information and specific questions, see Part 7 of the issues paper or the summary [Enforcement of the Act](#).

Your comments about the enforcement of rights and responsibilities

We have in the past used HAAG to help and they have been very helpful.

Any other comments

If you have any other comments, including about issues that have not been discussed in the issues paper, you can enter them into the box below.

Your comments

I would like the government to not only look at Retirement Villages but lifestyle villages as well with more regulations re maintenance, upkeep, site fees whilst selling as at the moment there are not many regulations re lifestyle villages as compared to retirement villages.

I have read and agree to the privacy statement

Yes

Provide your name or email address to help us identify your comments if you wish to access them, make a correction, or require technical support.

First Name

████

Last Name

████

Email address

████████████████████

How would you like us to handle your comments?

You may publish my comments anonymously (your name will be omitted)

What best describes your interest and involvement in retirement villages?

resident of a lifestyle village

Location of retirement village (if relevant)

Metropolitan Melbourne

Year of entry into retirement village (if relevant)

Before 2014

To view all of the form's submissions, visit:

<https://engage.vic.gov.au/index.php/dashboard/reports/forms/viewDetail/2315>

Regards,

The Engage Victoria Team

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