



Residential Parks Act 2007

Changes to Maximum Penalties and Expiation Fees – 1 March 2024

Section	Brief Explanation ¹	Penalty to 29 February 2024	Penalty from 1 March 2024
7(1a) —Residents committees	A park owner or park owner's agent cannot unreasonably interfere with a resident's rights to form a residents committee.	Maximum penalty: \$1 250.	Maximum penalty: \$25 000.
7(1b)&(6) —Residents committees	A park owner of a prescribed residential park must ensure that the park has a residents committee and must respond to committee recommendations.	Maximum penalty: \$1 250.	Maximum penalty: \$25 000. Expiation fee: \$1 200.
7(5) —Residents committees	A park owner must allow the use of a place within the park for the purposes of a meeting of residents.	Maximum penalty: \$750. Expiation fee: \$105.	Maximum penalty: \$25 000. Expiation fee: \$750.
10(5) —Residential park agreement to be in writing	If a residential park agreement does not comply with a requirement of the Act, the park owner is guilty of an offence.	Maximum penalty: \$1 250. Expiation fee: \$210.	Maximum penalty: \$25 000. Expiation fee: \$1 200.

¹ Summarised explanation of the relevant section in the *Residential Parks Act 2007*. For the precise wording of the section, please refer to the *Residential Parks Act 2007*.

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11 —Copies of written agreements	Residents must receive a copy of their signed agreement within 14 days after the resident gives the agreement or other document back to the park owner to complete its execution.	Maximum penalty: \$1 250. Expiation fee: \$210.	Maximum penalty: \$35 000. Expiation fee: \$2 000.
12(2) —Agreements incorporate park rules	A park owner must ensure that a written residential park agreement, or a document recording its terms, includes a copy of any park rules in force for the residential park at the time of the agreement.	Maximum penalty: \$1 250. Expiation fee: \$210.	Maximum penalty: \$25 000. Expiation fee: \$1 200.
14(5) —Information to be provided by park owners to residents	A park owner who refuses or fails to provide information required by the Act is guilty of an offence.	Maximum penalty: \$1 250. Expiation fee: \$210.	Maximum penalty: \$25 000. Expiation fee: \$1 200.
14(6) —Information to be provided by park owners to residents	A park owner must not knowingly make a statement that is false or misleading in a material particular in information provided to a person.	Maximum penalty: \$1 250.	Maximum penalty: \$25 000.
15 —False information from resident	A resident must not give a park owner false information about the resident's identity or place of occupation.	Maximum penalty: \$750.	Maximum penalty: \$25 000. Expiation fee: \$1 200.
17(1)&(2) —Discrimination against residents with children	A person must not refuse to enter into a residential park agreement with another person on the ground that it is intended that a child should live on the rented property.	Maximum penalty: \$1 250.	Maximum penalty: \$25 000.
17B(11) —Certain site agreements to be reissued	A park owner who refuses or fails to reissue a site agreement in accordance with the Act is guilty of an offence.	Maximum penalty: \$1 250. Expiation fee: \$210.	Maximum penalty: \$50 000. Expiation fee: \$2 000.
18(1) —Permissible consideration for residential park agreement	A person must not require or receive from a resident a payment, other than rent or a bond (or both), under a residential park agreement, or as a condition to entering into,	Maximum penalty: \$750.	Maximum penalty: \$50 000. Expiation fee: \$2 000.

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	renewing or extending a residential park agreement.		
19(1),(2)&(3)—Rent in advance	A person must not demand or require another person to pay more than 2 weeks' rent under a residential park agreement before the end of the first 2 weeks of the period of occupancy under the agreement.	Maximum penalty: \$750. Expiation fee: \$105.	Maximum penalty: \$25 000. Expiation fee: \$1 200.
20—Method of payment of rent	A park owner must not require that rent payments be made at the rented property unless some reasonable alternative method of payment that does not involve personal attendance at the rented property has been offered to the resident.	Maximum penalty: \$750. Expiation fee: \$105.	Maximum penalty: \$35 000. Expiation fee: \$2 000.
22(5)—Excessive rent	If, while an excessive rent order remains in force, a park owner asks for or receives rent for the rented property to which the order relates exceeding the amount fixed by the order, the park owner is guilty of an offence.	Maximum penalty: \$1 250.	Maximum penalty: \$25 000. Expiation fee: \$1 500.
23(1)—Park owner's duty to keep proper records of rent	A park owner under a residential park agreement must ensure that a proper record is kept of rent received under the agreement.	Maximum penalty: \$750. Expiation fee: \$105.	Maximum penalty: \$20 000. Expiation fee: \$1 200.
23(2)—Park owner's duty to keep proper records of rent	A person must not make a false entry in a record of the rent received under a residential park agreement or falsify the record in any other way.	Maximum penalty: \$1 250.	Maximum penalty: \$25 000.
24—Duty to give receipt for rent	A person who receives rent under a residential park agreement must, within 48 hours after receiving the rent, give the person paying the rent a receipt.	Maximum penalty: \$750. Expiation fee: \$105.	Maximum penalty: \$25 000. Expiation fee: \$1 200.

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27(1) —Bond	A person must not require more than 1 bond for the same residential park agreement or require the payment of a bond exceeding 4 weeks rent.	Maximum penalty: \$1 250.	Maximum penalty: \$35 000. Expiation fee: \$2 000.
28(1)&(2) —Receipt of bond and transmission to Commissioner	A person must, within 48 hours after receiving an amount paid by way of a bond, give the person who paid a receipt, and pay the amount to the Commissioner within 7 days.	Maximum penalty: \$1 250. Expiation fee: \$160.	Maximum penalty: \$25 000. Expiation fee: \$1 000.
31(2) —Quiet enjoyment	Residents are entitled to quiet enjoyment of their rented property. If the park owner contravenes this in circumstances that amount to harassment of the resident, the park owner is guilty of an offence.	Maximum penalty: \$2 500.	Maximum penalty: \$50 000.
32(2) —Residential park tenancy agreement—security of dwelling	A park owner, park owner's agent or resident who, without reasonable excuse contravenes a term of the Act relating to the security of a dwelling is guilty of an offence.	Maximum penalty: \$1 250.	Maximum penalty: \$35 000.
33(3) —Access to residential park	It is a term of a residential park agreement that the park owner must provide 24-hour access to the park.	Maximum penalty: \$1 250.	Maximum penalty: \$25 000.
36(2) —Resident's responsibility for cleanliness and damage	A resident who intentionally causes serious damage to the rented property or any common area of the residential park is guilty of an offence.	Maximum penalty: \$2 500.	Maximum penalty: \$25 000.
46(3) —Accelerated rent and liquidated damages	A residential park agreement cannot provide that a resident must pay accelerated rent, liquidated damages, or certain other fees for breaching the agreement.	Maximum penalty: \$1 250.	Maximum penalty: \$25 000.
48(12)&(14) —Assignment of residential park agreement	A resident under a residential park site agreement, must, at least 14 business days before any assignment of the	Maximum penalty: \$1 250. Expiation fee: \$160.	Maximum penalty: \$25 000. Expiation fee: \$1 000.

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	resident's interest to another person, advise that other person to contact the park owner to request the prescribed information.		
50(2) —Residential park site agreement—sale of dwelling on-site	A park owner who hinders, or attempts to hinder, the sale of a dwelling by a resident is guilty of an offence.	Maximum penalty: \$2 500.	Maximum penalty: \$50 000.
59(3)&(4) —Termination where periodic tenancy and sale of rented property	A person must not falsely state the ground of termination in a notice of termination given, or purportedly given, under this section.	Maximum penalty: \$2 500.	Maximum penalty: \$50 000. Expiation fee: \$2 000.
85 —Repossession of rented property	A person must not enter rented property for the purpose of taking possession unless the resident abandons, or voluntarily gives up possession of the rented property; or the person is authorised to take possession of the rented property.	Maximum penalty: \$2 500.	Maximum penalty: \$50 000.
87(7)&(8) —Enforcement of orders for possession	A person must not hinder or obstruct a bailiff in the exercise of the powers conferred on them by the Act.	Maximum penalty: \$2 500.	Maximum penalty: \$50 000. Expiation fee: \$2 000.
89 —Resident to give forwarding address	If a residential park agreement has terminated, the resident must not fail, without reasonable excuse, to comply with a request of the park owner for the resident's forwarding address.	Maximum penalty: \$750. Expiation fee: \$105.	Maximum penalty: \$20 000. Expiation fee: \$750.
91 —Offence to deal with abandoned property in unauthorised way	A park owner must not deal with abandoned property otherwise than in accordance with this Act.	Maximum penalty: \$2 500.	Maximum penalty: \$10 000.
95(5)&(6) —Park owner may give person notice to leave for serious act of violence	A park owner must not give a notice under this section, unless the park owner has reasonable grounds to believe that a serious act of violence by a resident or resident's	Maximum penalty: \$1 250.	Maximum penalty: \$25 000.

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	visitor has occurred or the safety of any person in the residential park is in danger from a resident or a resident's visitor.		
96(1) —Exclusion from park for certain period	A resident who is given a notice to leave under Part 10 of the Act (serious acts of violence) must not enter the residential park for the exclusion period.	Maximum penalty: \$1 250.	Maximum penalty: \$25 000.
98(1) —Occupation of rented property pending application or hearing	A park owner must not, during the exclusion period referenced in part 10 of the Act (serious acts of violence), allow any third person to occupy the property.	Maximum penalty: \$1 250.	Maximum penalty: \$25 000.
137(3) —Contract to avoid Act	A person who enters into an agreement or arrangement to defeat, evade or prevent the operation of this Act is guilty of an offence.	Maximum penalty: \$10 000.	Maximum penalty: \$50 000.
138A —Park owner must have safety evacuation plan	A park owner must ensure that the park has a written plan for the safe evacuation of the park in the case of an emergency.	Maximum penalty: \$2 500. Expiation fee: \$210.	Maximum penalty: \$25 000. Expiation fee: \$1 200.