From: Mary Prestson████████████████████████

Sent: Sunday, 7 July 2019 3:30 PM

To: ████████████

Cc: ████████████████

Subject: Policy consultation Civil and Administrative . Act.

Dear Sir or Madam, I have been a home owner at a residential park for over 30 years in North Western Sydney.For much of that time I have been a voluntary advocate for park residents.

I thank you for the opportunity to make recommendations to this review.

1)I found the CTTT to be immensely more user friendly than NCAT. I do not believe NCAT resolves legal disputes quickly cheaply , and hence fairly for home owners.

2)I recommend that NCAT should have additional powers to enforce their orders.An applicant/t should not have to return to Tribunal when orders have been ignored.

3)I recommend that if both parties agree decisions on the papers may be a way of saving time and money for both parties and the Tribunal.

4)I have found NCAT is more legalistic, and is much more likely to allow operators to have legal advocates, whereas all operators should be quite able to run their case. In fact the Legislation requires them to be aware of the Act and all other relevant Acts.

4)I recommend for education purposes for volunteer advocates, and or home owners, all decisions should be published.

5)I have witnessed cases where numerous members were changed , meaning a park resident had to restart their evidence at each appearance, this is time consuming for the Tribunal, and frustrating for the applicants, except for directions hearings the same member should hear the case to its conclusion..**Never** should the same member conciliate then hear the matter as now happens.

6) I recommend that a member /s be on call to adjudicate on requests for urgent hearings. These could be from a central office. I mean that they should be able to stay any matter until it could be heard in the usual way. My reasons is an example that happened concerning the supply of bottled gas to hundreds of home owners at my park. The operator gave notice that they would discontinue the supply. I lodged an application to prevent this and gave reasons for needing an urgent hearing. It was not granted and by the time the application went to a hearing, the supply had already been terminated.

7)I recommend that in R(L L) C cases, as with rent increases, that a community application be permitted to be lodged, when home owners at more than 25% of sites want to lodge applications for a reduction in rent, as permitted by the Legislation. To address the loss of applications fees, that would occur , an increase in community fees could be acceptable.

8)In R(L L) C cases, many home homers have been in the park for many years. many are frail elderly, and most are vulnerable. The Fair Trading site agreements have never mean used at this park of 362 sites. An industry agreement is used. These agreements are copy right. Many home owners cannot find these agreements. I furnished the Tribunal with site agreements many years go and many where not returned. I recommend that in lieu of the site agreement, site fee accounts and receipts showing the home owners name, site number and operators name should be sufficient as proof. It is unreasonable for applicants to have to furnish ASIC searches . Surely the entity we pay site fees , electricity water and or gas to is proof of who the operator is

 9) I recommend in R(L.L)C cases, so long as the orders sought and the reasons for these

orders are clear, the requirement to have the actual NCAT number should not be essential.
10) I recommend that hearings are scheduled in rooms not more that 1.5 hours from the residential park. Or for multiple applications at the residential park.
11) The **most important issue , for me , is the limited time to lodge an appeal .** It is quite impossible to get advice and to prepare an appeal in 14 days by a home owner or a volunteer advocate. This severely disadvantages home owners in residential parks.
Mary Preston JP.