



PARK HOME RESIDENTS ACTION ALLIANCE (PHRAA)



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“ UNFIT FOR PURPOSE” Hardhitting article on the Mobile homes Act by Tony Turner JBSRAA Reproduced by Ron Joyce Editor for the PHRAA website by kind permission by the author. October 2017

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UNFIT FOR PURPOSE

To Ronald Joyce <ronjoyce@thephraa.co.uk> • Ronald Joyce <ronjoyce@phraa.co.uk>

UNFIT FOR PURPOSE

There has been much discussion over the years surrounding the activities of traders regarded as unfit to operate in the retirement Park Home sector - but not enough said about the Mobile Homes Act that has created many of the problems in the first place. I suspect that whilst Government has been well intentioned, the drafting of the laws and regulations have been undertaken by those who had little understanding of the market and much less about the consequences of lack of clarity and the ambiguities that result in majority disputes. The Mobile Homes Act forms a contract between site owners and occupiers and anyone familiar with the creation of contracts knows that the purpose of a written contract is to draw out each party's motivations and requirements and provide certainty as to what has been agreed, at the same time reviewing and addressing the 'get out' opportunities if it is not to be breached by one or both parties. This vital aspect of what was essential to any viable Agreement was not implemented and it could be said that the less scrupulous site owners who exploit the gaping loopholes, are simply taking advantage of the opportunities that have been handed to them on a platter by those who not understand the fundamentals of any contract.

We are, allegedly, subject to the due processes of a review if the 2013 Act, the second part of the call for evidence planned for May 2017 but still awaited. However, it is reasonable to ask why further public calls for evidence is necessary, where the recorded issues already put before Tribunals and the Courts provide sufficient evidence of the changes that need to be made and where any reasonably educated park home owner could draft the needed changes in an afternoon and save the DCLG the task of drafting further amendments, that on past experience, are again unlikely to sew up the loopholes, where aside from the leads of NAPHR and IPHAS, whose role will be to interpret any future changes for its members and where the lead of the JUSTICE Campaign has been finally driven out of her park home for fear of reprisals, there is not a single Park Home owner on the All Party Parliamentary Group. The interpretation must therefore be, that either those who live in what are absurdly classified as caravans are either of a social status that renders them unfit, may be too outspoken in stating the facts that do not wish to be heard or are intellectually subnormal, a level of perceived arrogance based upon the "we know best" syndrome that created the shortfalls within the MHA in the first place.

This issue needs to be urgently addressed. The development of policies behind closed doors that may result in amendments to laws and regulation that will form the future binding contracts between site and home-owners must include some of the victims, who are better able and fully capable of identifying what is essential, to advocate the needed changes and who also deserve the opportunity to be a part of what may be eventually decided.

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