



BCCM Act Review Continues with Government

The amendments review of the Body Corporate and Community Management Act (BCCM) will continue with the new legislative timetable for presentation to the State Parliament scheduled for the last session in 2002.

QRAMA continues to be involved with consultation, both with the Minister for Natural Resources and Mines, Stephen Robertson, and officers from his department.

"The representations made by QRAMA and by individual members of QRAMA have meant that our key points of concern have been accepted and addressed by the review groups," said QRAMA State President, Kim Cox.

"We have approached the Government with our six points of concern and have had a very positive hearing on each of the issues."

"We told the Government that in the main, we strongly supported the proposed amendments to the 1997 Act and that our concerns were about the business aspects for resident accommodation managers and the adverse impacts that the original draft model proposed."

"To that end we have developed a series of submissions as required by the consultation process, and have been involved in both official working parties regarding the review and several conferences with the Government draftees and with their advisory consultants," said Mr Cox.

Mr Cox said that QRAMA had adopted a strategy to have all members play a role in the political process by discussing QRAMA concerns with their local members.

"We raised with the Government the economic and tourist industry impacts on some of the original recommendations, and have been able to put forward our case that the resident accommodation managers deserved rights and protection under the legislation as licensed and accountable people responsible for the capital value of the building and outcomes for investors," he said.

"Our industry and government relations program during the past five years have helped us establish a significant position in the regional tourism industry, which is now being understood by both Federal and State Governments."

"Our submissions in this review have been supported and carried by senior representatives of the Tourism Industry, who have pointed out that the continuing investment in self catering holiday accommodation is dependent on the efficiency and expertise of the resident accommodation industry."

"In our campaign we have even had the opportunity to brief the Premier on the tourist industry issues."

"As a result of this campaign, there will be the need for further work to be done by QRAMA on behalf of resident managers to ensure that the new administration practices are understood by all stakeholders."

"There will be a need for a significant education program within the industry so that the full benefits of the updated legislation flows through for the benefit of all."

"The lack of understanding of the pivotal role and responsibilities of resident managers needs to be better understood so that we do not have people misunderstanding just what the business entails and just how important the various day to day and regular responsibilities are undertaken by managers."

"QRAMA believes that the new legislation outcomes will add more certainty and value to the resident managers' businesses and will also be welcomed by investors, owners, bodies corporate and vacationers," Mr Cox said.

Details of Review submissions and our progress are on pages 3 and 5.

QRAMA MEMBERSHIP SURVEY

QRAMA is seeking the support of members to review the current position of the association to assist in strategic planning.

The QRAMA executive have been reviewing the issues management program which has been undertaken in the past five years and the future programs that will be flowing with both Federal and State legislation.

"QRAMA members are significant investors in the tourist accommodation industry and our efforts in the past five years have had a major impact on many aspects within the industry on a State, National and regional basis," said Kim Cox.

"Members are asked to consider the opportunities for their association in the future by completing the survey questionnaire (see insert)."

"Whilst QRAMA has continued to grow with the establishment of new branches and new members joining, we believe that other individuals associated with resident managers could be interested in membership."

Similar to QRAMA, other property organisations are assessing their representative futures. Therefore we ask you to respond to the survey so that we gain a true benchmark.

contents

Tourism News, Fair Trading Comments	page 2
QRAMA Latest Submission	page 3
PAMDA Review	page 4
BCCM Act Review.....	page 5
Traveller Accommodation,	page 6
Cost & Charges Survey	page 6
Guidelines for Credit Cards.....	page 7
Life Members	page 7
Enquiring About the Web.....	page 8
Your Representatives	page 8

TOURISM NEWS TOURISM NEWS TOURISM NEWS TOURISM NEWS

The Minister for Tourism, Merri Rose, reported that over \$1.6 billion into the Queensland economy last year was derived from events such as meetings, incentives, conferences and exhibitions market.

Ms Rose remarked that there was a high level of growth in the business tourism sector.

"More than one million delegates visited Queensland last year to participate in around 7000 meetings or conferences and stayed for a total of 4.9 million days.

This doesn't even include the days spent here on pre and post event touring.

The average size of these 7000-odd meetings was about 150 delegates and nearly 80 percent of the delegate expenditure in Queensland was by people attending national and international events.

What is really exciting is delegate expenditure is increasing at an average rate of 17 per cent.

The Beattie Government's commitment to helping grow the sector was unwavering.

Special purpose funding of \$8 million over four years to the state's six convention bureaux expires on June 30 but our support has been extended for another four years.

The Beattie Government will allocate \$7.5 million over four years – or almost \$1.9 million a year – to the bureaux for marketing. This will take our contribution to the bureaux to \$15.5 million over eight years.

Proposed convention bureau funding for 2002-03: Gold Coast \$528,931; Brisbane \$376,023; Sunshine Coast \$366,659; Tropical North Queensland \$257,266; Townsville \$176,269; Whitsundays \$169,852.

The Business Events Survey recently completed for Tourism Queensland revealed the Gold Coast had the largest share of the Queensland business events market.

Business visitors to the Gold Coast last year spent \$606 million - or 39 per cent of total sector expenditure.

Brisbane is the second largest with \$418 million or 27 per cent, followed by the Sunshine Coast with \$269 million (17 per cent), Tropical North Queensland with \$190 million (12 per cent), Townsville with \$41 million (3 per cent) and Whitsundays with \$39 million (2 per cent).

These remarkable figures reaffirm Queensland's reputation as a favourite destination for the lucrative meetings market.

Delegates spend tens of millions of dollars every year on exhibition halls, conference facilities and meeting rooms, along with local services like transport, restaurants and retail stores.

Business events allow us to also showcase Queensland's tourism products and entice business visitors back for their next holiday.

Convention bureaux and their industry partners have been working to grow this important and lucrative market over the past 10 years. Everyone benefits from this type of tourist market."

Premier Backs Events for Tourism

The average return on investment for Queensland events this year was \$24 to every \$1 invested and this was expected to rise to \$30 for every \$1 next year as quoted by the Hon. Peter Beattie, Premier of Queensland, at a recent QTIC meeting.

Premier Beattie said that between 2001 and 2003 Queensland events will return some \$870M in economic impact to Queensland.

Fair Trading Review – How We Perform

QRAMA has sought advice from the Office of Fair Trading regarding complaints made against the resident managers. We publish the letter for the information and attention of all members.

Complaints

Firstly, the Office of Fair Trading cannot separate complaints into various professional groups so all complaints are recorded on the one database for the Property Agents and Motor Dealers Act 2000 (PAMDA).

The letter states "the leading complaint categories for restricted letting agents are:

- Unlicensed activity,
- Failure to lodge audit reports,
- Trust accounting irregularities,
- Unit owners complaining about lack of letting services to their units or failure by the licensee to account for rents received,
- Secret deals or payments from tradespersons for performing repairs and maintenance, and
- Complaints about the level of fees and charges for incidentals such as laundry, cleaning, repairs or other services provided by the resident accommodation manager in addition to letting services."

The first disciplinary action taken in the PAMDA Tribunal was for misappropriation by a restricted letting agent.

Licensing

Section 111 of the PAMDA provides details on the authorised activities that a licensed restricted letting agent is allowed to engage in. The office is also aware of the confusion about "who should be licensed or registered to perform certain duties and whether or not administrative functions relating to letting require licensing".

Practice guidelines to assist licensees to comply with the Act may be developed by the Office of Fair Trading. If these guidelines are produced, they will be distributed through industry associations such as QRAMA. A general review of the Act earlier this year was focusing on the competence levels and the modules required for acquiring a restricted letting agent's license.

Commissions

A review committee has been established to oversee real estate and restricted letting agents' commissions. This committee will review the current commission structure and identify alternatives for paying fees and commissions under the Act.

Members are encouraged to comment on the draft forms provided by the Office of Fair Trading on their website: www.fairtrading.qld.gov.au

Other concerns

- The lack of protection for owners' funds is not subject to the Act.
- Problems with the travel industry need to be addressed nationally.
- Members should seek legal advice regarding the rights of pre-booked guests after a bank has repossessed a property.

Two Final Issues Still Concern Managers

Two grass roots issues on the proper process for the removal of a manager have been highlighted, as the final matters to be resolved in the review of the BCCM Act.

"We are asking for a further review on having a better and fairer mechanism for the major step of having a manager leave for the best interest of all parties," President Kim Cox said.

"We have applauded the review process and the treatment of all our recommendations, our detailed submission highlights and our desire to have this matter dealt with more realistically.

"We have asked the reviewers and the Minister to revisit the two sections on that criteria," he said.

There are two areas of concern in the proposed Section 112:

- Application to all existing schemes of Section 112G rather than to new schemes
- Ordinary resolution in Section 112H (1)

1. SECTION 112G Applicable dates

As currently drafted, Section 112G applies to all schemes that are not subject to the *Managed Investments Act*. That Act applies to schemes where the developer owned units in the scheme after October 1998. It does not operate retrospectively and cannot be applied to any scheme operating at October 1998.

In the "Summary of Key Changes" that preface Draft Version 5a, the provisions of Section 112 have replaced the earlier requirement that the letting office be on common property.

The proposed Sections 42A and 42B, which have been replaced by this section, were not planned to apply to existing schemes. In fact, Section 42A (1) clearly states that the "section applies to a community titles scheme -

- (a) established after the commencement of this section; and
- (b) for which the application for development approval was made on or after the commencement."

The timing proposed in Section 42A was not dissimilar to the applicable dates of the MIA. MIA specifically provides an exemption for any complexes, the planning (which may have been just the land acquisition and preparation of plans), or building (of which was well advanced at the commencement of the MIA October 1998). The Federal legislators were keen to ensure that existing managers/developers or those well advanced with their plans were not subject to retrospective legislation. We submit that these same requirements should apply to Section 112G.

Retrospectivity

We understand that the Queensland *Legislative Standards Act* is concerned that laws should not be retrospective.

The consequences of applying the provisions of Section 112 to a contract that is already in place will most likely add to the anxiety that changes to legislation impose on an existing contract.

Alternative to an Unworkable Proposal

The proposal to transfer the letting agent's management rights was put forward by QRAMA in response to, and as an alternative to, the requirement that office be on common property in new developments. In many holiday complexes, the original proposal would have caused significant operating problems. QRAMA raised the proposal for a forced sale so that income that owners may expect from letting and therefore the market value of properties in the scheme, as well as the value of the contract held by the resident manager, would not be compromised by an ongoing dispute.

Financial Impact

Complexes subject to the new rules will be less valuable than those that are not. The banks are already indicating a lesser value will be placed on those complexes that are subject to the BCCM Act's proposed forced sale provisions. If it is to apply to existing schemes, it will have serious adverse consequences for existing managers and those who have a finance approval but have not yet settled.

Dispute Resolution

Existing legislation already contains termination provisions as well as dispute resolution provisions. We must highlight that if a situation has become unworkable the manager will generally sell and move on. In practice, the parties can generally sort through their dispute. It is in this context that we have raised the issue of the Body Corporate Committee being subject to a Code of Conduct.

2. SECTION 112H

Section 112H (1) proposes that the transfer requirement be initiated by an ordinary resolution of the body corporate. QRAMA's concern is a quorum can reach 13% and remove managers from their homes and businesses. The bar needs to be higher than 13%.

Use of Special Resolution

This issue is serious as the letting agent must sell up his home and business and move his family. All other serious body corporate issues are decided by a special resolution.

Using an ordinary resolution for Section 112H will not generally cause difficulties when the owners are nearly all resident owners or nearly all investors. The problem arises when the ownership is mixed and so owners' objectives differ.

Voter Response

Resident owners are much more likely to participate regularly in body corporate affairs as the body corporate is providing their home. Investment owners are more likely to leave matters in the hands of the committee. Hence an ordinary resolution is more likely to have a higher voter response from resident owners rather than from letting owners.

We share the concern of the Department of Natural Resources and Mines, that body corporate decisions should be taken by the body corporate and not by only some of the owners.

The proposal in its present form is unlikely to deliver a fair result. Resident owners are concerned with the caretaking role of the resident manager. Investment owners are concerned with both the caretaking role and the letting authorisation. Clearly their objectives and concerns differ and so the issues on which they assess the manager will also differ. The voting process should ensure that the vote is recognised as a serious matter and all owners should be given maximum encouragement to vote.

Our Case

Consider a building of 100 units where 70 units (70%) are in the manager's letting pool. The remaining units are occupied by resident owners, are not let by their absentee owners or are let through external agents. Resident owners are likely to vote but they are only using the caretaking services provided by the resident manager and so are more likely to vote against the manager.

The 30 owner-occupiers and others not in the letting pool, assume 25 votes are cast against the manager staying. Assume a total of 85 votes (of a potential 100 votes) are cast for an ordinary resolution (which would be an unusually high vote). Assume that 60 of the 70 letting owners cast a vote and of these, 18 voted against retaining the manager. As an ordinary resolution, the manager would be forced to sell. Thus a result that would remove the manager would be achieved with 42 letting owners supporting the manager and 18 letting owners voting against the manager.

This same voting pattern under the *Managed Investments Act* would ensure the manager stayed, with a 42 to 18 vote by letting owners supporting the manager as only letting owners can vote. Hence the same proposal in Section 112H does NOT replicate the MIA process. The *Managed Investments Act* requires a majority of letting owners must vote to remove the manager. Hence the manager can only be removed under MIA if at least 36 letting owners voted to remove the manager.

If a special resolution applied, a majority of two-thirds of those voting must support the motion (in the proposed Clause 34A). With 85 votes cast, 58 votes would be needed to remove the manager. With 43 to 42 votes in the above example, the motion would fail. The special resolution would come much closer to the MIA process.

Alternatively, if a special resolution applied with the same voting pattern, the manager with the support of 28 letting owners would not be required to sell compared with 36 votes from letting owners under MIA.

A building with 100 units, 70 in the letting pool, 12 occupied by resident owners, 10 shops on the ground floor of the complex and the remaining 8 with various arrangements. Attendees at the meeting will most likely be mainly resident owners and commercial operators as they have much easier access to the meeting. Let us assume that 10 resident owners, 8 commercial operators and 10 investor owners are present.

A quorum is achieved and an ordinary resolution will be carried by 51% of those voting. The resident owners and commercial operators are not involved in the letting pool and will most likely support an argument by a vocal and vindictive chairman against the manager, as they have not had personal experiences in the letting pool. Hence in this example, 14 owners, none of who are letting owners, would require the manager to sell.



Minister for Natural Resources and Minister for Mines, the Hon. Stephen Robertson

PAMDA Review – 15 Areas Can Be Improved

QRAMA has responded to the State Government's call to further review the Property Agents and Motor Dealers Act following its implementation for 12 months and the practical experience of working with the new act.

"While PAMDA generally operates satisfactorily in the broader issues and provides improvement in many areas on the previous Act, there are several details that we consider still need attention to maximize the effectiveness of the PAMDA," President Kim Cox said.

It is time to look more broadly, just as the Office of Fair Trading (OFT) has taken a more positive position in relation to this legislation. OFT has moved away from the previous industry practice of being largely influenced by sections of the industry. We commend the OFT for this transition.

QRAMA VIEWS

1. PAMDA must address both permanent letting and holiday letting.
2. It must also have regard for the various practices that have operated in different parts of Queensland.
3. We do not propose that all practices must be standardised but all must be more comfortably able to operate under PAMDA.
4. Currently the emphasis is more heavily on permanent letting and the real estate role rather than the more commercially diverse activities involved with holiday letting and the tourism industry.

The following items have been identified as needing attention and have been detailed in our submission.

1. Sec. 111 AUTHORITY OF LICENSEE

Section 111 authorises the licensee to let lots in the complex and to collect rents.

We propose that ONE person (either as the proprietor owning the management rights or as an employee of such person) at each building must be licensed. That person must accept responsibility for the functions that are defined by PAMDA.

2. Sec. 57 APPLICATION FOR LICENCE RENEWAL

Form 2 for licence renewal requires nine pages and two recent photographs annually.

As most of the information is already on the OFT files, we suggest that the number of pages can be drastically reduced to provide a more relevant form and the provision of two photos annually seems excessive.

3. Sec. 20 CATEGORIES OF LICENCE

The category in Section 20 (a) of "restricted letting agent" is a misnomer. Every category has restrictions and yet RLA is the only category that must bear it in the title. Again, this nomenclature is a relic of the previous Auctioneers and Agents Act where the resident manager acting as an agent must be "restricted".

We submit that the title should be "letting agent" as the restrictions are set out in the Act and Regulations. The prefix "Restricted" adds no clarity to the title.

4. Sec. 35 LIVING ON SITE

Section 35 sets out the eligibility for licence holders. We agree with all aspects of Section 35 except the requirement for residing in the building in (c) (ii) and the anomalies presented by Section 35 (4).

We submit that the services needed should be addressed in the caretaking agreement between the RLA and the body corporate and are NOT an issue for PAMDA.

5. Sec. 116 COMMISSION ON AMOUNT COLLECTED

Section 116 (2) states that commission must not be claimed "on an amount more than the actual amount collected". The section does not say by whom and does not clarify that the amount collected by the wholesaler must not be the basis of the calculation.

We submit that the words "by the agent" be added to the existing words in Section 116 (2).

6. Sec. 614 EXISTING APPOINTMENTS

Are appointments that were written before the date on which PAMDA was proclaimed that have the requirement that the owner must use the services of the RLA (as on-site letting agent) for a period of, say, ten years, satisfying section 614?

The prior existence of such an agreement (which also binds the owner to assign the same agreement to any future owner) has been assumed to continue under PAMDA, based on Section 614. As the agreement is a prior agreement that must be assigned to future owners, is it correct that a Form 20a is not needed?

7. Sec. 35 EDUCATIONAL REQUIREMENTS

Section 35 (b) and Regulation 7 specify education and qualifications as being pre-requisite for licensing. QRAMA agrees that for licensing, the six specified modules provide a good start.

However, we submit that there should not be an implied nexus between education and licensing. There should be greater encouragement for employees to complete the six modules as an educational issue.

8. C of C 18. PRIOR APPOINTMENT OF ANOTHER AGENT

The Code of Conduct in section 18 prohibits an RLA from accepting an appointment from an owner if the owner has a prior appointment with another RLA.

We submit that the Real Estate Agency Practice Code of Practice should be amended in Section 19 to prohibit solicitation or acceptance of an appointment for letting where the real estate agent knows, or should know, that a letting appointment is in place.

PAMDA Review cont.

9. Sec. 114 ASSIGNMENT OF APPOINTMENTS

We recommend that a positive statement be included in PAMDA stating that all Letting Appointments in Form 20a can be assigned automatically to the new RLA, provided body corporate approval has been given under the BCCM Act for the assignment of the letting authorisation to another RLA. The body corporate is required under the BCCM Act to advise each owner of the change of the RLA and so each owner has written advice of the change.

10. Sec. 49 ISSUE OF LICENCE

The processes for applying for a licence (Section 22) and the issuing of a licence need review.

The body corporate generally does not give approval for the transfer of the contract under BCCM Act until fairly close to settlement day.

These delays all require much duplication of effort and increase the chances of error while the RLA is in the "steep learning curve" phase.

11. Reg. 58 ACCESS TO RETAINED DOCUMENTS

When there is a change in RLA, the caretaking contract and the letting authorisation are sold to the incoming RLA. The outgoing RLA leaves behind records of bookings and contact details of previous guests as part of the database of guests.

The incoming RLA frequently feels that access should have been provided to more financial records so that the incoming RLA can see the income of each owner and similar details and so can benchmark and measure progress against what has been achieved previously.

12. ACCESS TO THE PROPERTY BY SELLING AGENTS

There is no provision in PAMDA or any other legislation as far as we are aware, to disturb the guest for a property inspection. Real

estate agents should be required by their Code of Conduct or other provision within PAMDA to respect the presence of holiday guests and allow them to complete their holiday undisturbed.

PAMDA has been written to protect the owner at all times. Unless PAMDA recognises that guests and RLAs have rights too, the economic viability of the tourism accommodation industry is threatened.

13. Sec. 114 RECOGNITION OF FUTURE BOOKINGS

The issue here is the current Act does not recognise the rights of the guest upon paying a deposit for their booking. The concern is the guest who made the booking in good faith should have their rights acknowledged by the Act.

14. Sec. 579 REGULATED COMMISSIONS

The commission is the only regulated component of the charges that the RLA makes.

We are concerned that such commissions are unregulated and increase without negotiation. The increase is based on market muscle when Sunlover, as a commercial division of Tourism Queensland and responsible to the Department of Tourism, makes a unilateral decision to change its charges.

Currently, only 25% of the costs are regulated.

15. Sec. 409 CLAIM FUND

We understand the Claim Fund is financed from interest collected from trust accounts.

We submit that a nexus be established between the amount collected and claims paid.

BCCM Act Review – QRAMA Details the Industry Picture

In its submission to the Queensland Government's BCCM Act review, QRAMA highlighted the resident management industry and its increasing input into the tourism industry and the State's economy.

Tourism Industry

The main concerns shared throughout the tourism industry are:

1. There has been a high incidence of growth in the tourism accommodation and investment sector through strata-titled investments and management right companies. Subsequently, the number of owners who are non-resident investors has increased and now fall under the BCCM Act.
2. Self-catering apartments in Queensland are now estimated at 55,000. These apartments account for approximately \$20 billion in value in the state's holiday accommodation. In order to maintain investors' confidence, the BCCM Act cannot afford to ignore such a large contingent in our industry.
3. Employing management rights' holders is another concern that will determine the growth and potential development of the tourism industry.

Resident Managers

In regards to how the Act directly affects resident managers, several problems were voiced by QRAMA:

1. The unauthorised appointment of a contractor, the completion of work, and payment for such work by a chairman based on an item approved in the budget.
2. The interference by owners in the letting business of the resident manager as appointed by the owner.
3. There should be a minimum level of competence that a body corporate manager must attain regarding their knowledge and understanding of the Act.
4. Ensuring the body corporate manager is aware of necessary training and educational requirements provided by the CTIQ.
5. Incorporating a minimum regulatory requirement such as licensing for body corporate managers.
6. Establishing a trust account for all body corporate funds as a safeguard for owners.

Traveller Accommodation Providers (Liability) Act 2001

The Act seeks to address the issues surrounding 'Innkeeper Liability' which is an old internationally applied law that applies to all accommodation providers. The history behind the law is to protect travellers and it stated that the innkeeper was liable for loss of a traveller's property regardless of conditions.

The Traveller Accommodation Providers (Liability) Act 2001 applies to any type of accommodation used by travellers such as hotels, motels, resorts, serviced apartments, guesthouses, backpackers, and bed and breakfast establishments and the 'accommodation provider' is the operator or letting agent and not the owner of the apartments. The Act does not apply to residents who live at the traveller accommodation.

An accommodation provider can claim protection under the Act to limit your liability against loss by a guest to \$250 for each apartment each night, only if the accommodation provider display the notice that is specified in the Act and follow other requirements. You are not protected and your liability is unlimited if you do not take these steps.

The Act covers civil liability only and not criminal liability. Any criminal activity must be reported to the police and pursued through the criminal justice system.

If the accommodation provider or employee is at fault or negligent, then the liability limit will not apply. The Act specifies that accommodation providers are responsible for limiting their own liability.

Procedures

Members are advised to adopt their own procedures with regards to liability but suggest that they include the following:

- Display the Act's notice about the loss of guest's property in their reception area or main entrance.
- Display the notice in every room (for example, on the back of the door) or draw the guest's attention to the notice in some other way (for example, in the compendium).
- Determine your policy for handling a claim. You may take the soft option and pay any claim or you may take a hard line and advise the guest that you will fight any claim in court. Most managers will adopt a policy between these extremes, probably by requiring a written claim from the guest with evidence to support their claim.
- Once your policy is determined, you may wish to place this policy in the compendium or below the notice so the guest knows how you will handle any claim. If a written claim is made, you may advise the guest that you will refer it to your solicitor or insurance company for advice. You may wish to also advise guests in the compendium that any loss arising from a criminal act, such as a break-in, is not covered by this Act and must be handled by the police.
- Even if the guest does place a written claim, it is unlikely that the guest will pursue you through the courts for a maximum of \$250 unless the guest believes he/she can prove that you or your staff has been negligent.
- Your approach to these issues is part of your risk management strategy. Consider your planned procedure as part of that strategy. Do you want the guest to advise their friends that you were unreasonable and unhelpful or that you provided advice and support but were unable to replace the item in question.
- The Act provides you with potential protection. You need to make some management decisions to decide how you will handle a claim.

Members are encouraged to protect themselves through the Act rather than defending themselves against a potentially larger claim.

Sunshine Coast Summary – Cost, Charges & Activities Survey 2002

The results of the Costs and Charges Survey 2002 have been compiled. There were 119 survey participants which represented 48% of possible buildings.

The result highlights are as follows:

- 59% of buildings provide cable TV to guests.
- 10% of managers do their own cleaning, 47% pay their staff to do the cleaning and 43% engage cleaning contractors. More managers using contractors have formed a contract rather than 'labour only' arrangements of previous years which do not satisfy taxation and industrial relations legislation.
- Sixteen different laundries are used by those who participated in the survey.
- A PABX operates in 113 buildings (95%) with the managers owning or leasing the PABX in all but four of those buildings.
- Over 61% of participants apply an administration charge to cover audit fees, bank charges, postage and petty items as a fixed monthly charge.
- 41% of buildings have air conditioning in all units with 20% of buildings having no air-conditioned units.
- The QRAMA website was used by over 80% of members at the time of the survey.

Guidelines for Credit Cards

We have reviewed our recommended procedures for members based on the changes made by the banks to MasterCard Accounts and list the Guidelines below.

1. Conditions of Booking and Occupancy

Our recommended Conditions of Booking and Occupancy and the signing of the guest registration card with the statement "We acknowledge and agree to the Conditions of Booking and Occupancy provided or as printed on the reverse side of the receipt" is an important first step. You must provide to the guest the terms of the contract for staying at your building.

You must display or make available these conditions and obtain a signed registration card acknowledging these conditions BEFORE handing out the keys.

As well as the Conditions of Booking and Occupancy, you should provide a Cancellation Policy.

A draft of each of these three documents is available at the QRAMA website which you can print on your own letterhead or amend as necessary.

2. Normal Credit Card Transactions

There is no change to the procedure for the normal use of credit cards when the guest presents the card and the manager processes the transaction. Make sure that the guest signs the credit card docket. The bank does not recognise signatures on a registration card or similar document as authorising a credit card transaction.

3. Deposits by Telephone or Email

It is common to take a deposit for a future booking by telephone or by email and to process the deposit as a "phone order". This is very convenient for you and for the guest and on almost every occasion, works well. However, if the guest cancels the booking at short notice and complains to the bank about you holding some or all of the deposit, the bank will not recognise your Conditions of Booking or your Cancellation Policy.

The bank will treat all accommodation providers as a short-stay motel and does not recognise the cost to the manager and to the owner of the cancellation of a holiday apartment booking.

4. Late Charges

The main change to MasterCard procedures recently advised by the banks concerns late charges and charges for damage. It is in this area that we must review our procedures.

Previously you could debit the guest's credit card account for loss, theft or damage discovered after the final bill had been settled by the cardholder. That practice has changed.

Charges that may have been overlooked but can be reasonably expected to be payable by the guest can be put on a credit card. We include here a telephone account, an extra night's accommodation or a tour booking. As a matter of courtesy to the guest and good business practice, details should be mailed immediately to the guest, informing the guest of the charge and the action you have taken. Provide sufficient details to satisfy the guest so they will be happy to accept the charge when it appears on their statement.

In nearly every case, the guest will accept this procedure as reasonable, appropriate and convenient and the matter will end there. If the guest disputes the charge and contacts you, you can discuss and hopefully resolve the matter promptly while all memories are fresh.

TWO NEW LIFE MEMBERS

Two long standing executive committee members were made life members of the Association at this year's Annual General Meeting.

QRAMA President Kim Cox and Gold Coast President Graeme Beattie were elevated to life membership for their services to the association.

"The successful work of QRAMA can only be continued by the dedication and hard work of its volunteers and Graeme and Kim have lead by example for the past several years. It is important that we tangibly record our recognition of their dedication and service, " Secretary/Treasurer John Anderson said.

Graeme Beattie has been on the committee of the Gold Coast branch for more than 10 years and has been President of the Gold Coast branch for the past six years.

Kim Cox has been the President of the Sunshine Coast branch for the past four years and State President for the past three years.

"While QRAMA and its members may have embraced IT and the Internet, one of our most important assets has been the face-to-face industry and professional interchange which has been personally generated by these two leaders, " Mr Anderson said.

"The profile of resident accommodation management has been lifted by the efforts and endeavours of the personal commitment of these two leaders and it is important that we recognise their contribution and leadership to the association."

"I am sure members will hope that they stay active in our industry activities" he added.

Enquiring about the Web

The web has rapidly entered our business world and is here to stay. However, it can be confusing, our expectations have changed from the initial vision of 'how it will revolutionise our business' and it still has a way to go. It's all about confidence in technology and knowledge and perceived value.

We are frequently asked for assistance in evaluating web offers, as people are unsure of what to ask. Below are a series of questions to assist you and 'get you going'. It's not absolute but it's a start.

Ask the following to determine if it is for you:

1. Who owns the website and how long has it been going?
2. How is it marketed to users and what are the traffic levels?
3. What search engines does the site work with? There are hundreds but only a handful account for the majority of traffic.
4. How will your property be listed? What section? What ranking on the page? Can I improve my ranking? (The further down the list generally the less people will look for it).
5. Costs, how long is it listed and are commissions charged?
6. Can I receive enquiries/bookings directly from the customer?
7. Can my listing be updated? How? Frequency?
8. Do I receive statistics on site visits and visits to my listing?
9. Is my listing distributed to other sites and if so, how is it maintained to keep information current?

Being on the web does not guarantee you business. The website needs to generate 'eyeballs' looking at it, but also your listing needs to sell your property. It's just like an advertisement in a print guide where the customer will be drawn to a well-presented property and critically, great photos.

The web is building on two fronts; as a way people can research where to stay for their holiday, and the slowly increasing 'online business' of receiving bookings. It is important the site generates 'leads' for you in the first instance, and in evaluating the values, cost per click, (how many people click on your listing to view your property) is a good guide.

If Jasons can assist, please call us on 07 3221 3810.

Your Representatives

STATE EXECUTIVE COMMITTEE

Kim Cox, President
Graeme Beattie, Vice-President
John Anderson, Secretary/Treasurer

Ken Dobbs Graham Fletcher
John Harris Ian Barrett
John Keast Geoff Stephens

CAIRNS EXECUTIVE COMMITTEE

Chris Stolk
President
Ph: (07) 4051 8111
stay@oasisinn.com.au

Kay Partridge
Vice-President
Ph: (07) 4041 2155
info@ilpalazzo.com.au

John Harris
Secretary
Ph: (07) 4033 0522
info@cairnsreef.com.au

Graham Cook
Treasurer
Ph: (07) 4031 3955
graham@tropic Towers.com.au

GOLD COAST EXECUTIVE COMMITTEE

Graeme Beattie
President
Ph: (07) 5579 1299
graeme@qrama.com.au

Pat Moran
Vice-President
Ph: (07) 5570 2122
surfcent@austarnet.com.au

Geoff Stephens
Secretary/Treasurer
Ph: (07) 5510 3900
geoffrey@winshop.com.au

Randall Deer Ron Jungblut
John Mitchell David Ruxton
Tom Taggart

PORT DOUGLAS EXECUTIVE COMMITTEE

Graham Fletcher
Treasurer
Ph: (07) 4099 5322
garrickhouse@austarnet.com.au

Ken Dobbs
President
Ph: (07) 4099 5662
ken@qrama.com.au



Effective marketing for your property through Accommodation Directories and our market leading website – www.jasons.com.au and Global Partner Network.

Marketing your property on a local, national and international level.

*The sales canvass for the 2003 Jasons Queensland and Northern Territory Accommodation guide is currently in progress and bookings will close 30 November 2002.
Book Now!!*

Call Jasons Sales Support for more information on 07 3221 3810 or email sales.support@jasons.com.au



Level 2, 46 Edward St,
Brisbane QLD 4000
Phone (07) 3221 3810
Fax (07) 3221 6985

Jason Moore
Secretary
Ph: (07) 4099 6055
info@freestyleportdouglas.com.au

SUNSHINE COAST EXECUTIVE COMMITTEE

John Anderson
Secretary/Treasurer
Ph: (07) 5448 8739
john@qrama.com.au

Kim Cox
President
Ph: 0417 611 561
kim@qrama.com.au

Ian Barrett
Vice-President
Ph: (07) 5492 1388
moorings@hotmail.net.au

Bob McMillan Hans van Vugt
Ian Nalder John Keast
Peter Hope Phillip Cleaton
Rob Horell Yvonne Kannar
Dan Harmer

STATE SECRETARIAT

Christina Fenton
Ph: (07) 3257 3927
state@qrama.com.au