



Application by occupier of a mobile home on a protected site for an order that the site owner give the occupier a written statement as to the terms of their agreement

Section 49(5) of the Mobile Homes (Wales) Act 2013

This application form is also available in Welsh. Please contact the tribunal for a Welsh version of this form.

This is the correct form to use if, by agreement with the site owner, you are an occupier of a mobile home on a protected site as your only or main residence and the site owner has failed to give you a valid written statement* as to the terms of the proposed agreement in accordance with section 49(1) of the Act, and you require the tribunal to order the owner to give you such a written statement not later than a date specified in the order.

*To be valid the statement must

- a) Specify the names and addresses of the parties
- b) Include particulars of the land on which the proposed occupier is to be entitled to station the mobile home that are sufficient to identify the land
- c) Set out the express terms that are to be contained in the agreement (including any site rules)
- d) Set out the terms to be implied into the agreement by section 50(1) of the Act
- e) Comply with such other requirements as may be prescribed by regulations made by the Welsh Ministers.

Note to Applicants

Applicants are advised that any information that they provide to the Tribunal may be recorded in a decision document. All decisions made by the Tribunal are open to the public.

Documents

You must send the following document(s) ("required document(s)") with this application:
Any documents given by the site owner to the occupier:-

- Specifying the names and addresses of the parties.
- Giving particulars of the pitch.
- Setting out any express or implied terms.

Failure to send any required document(s) might make this application invalid.

Please do not send any other documents at this time. If and when further documents, information or evidence are needed, you will be asked to send them separately

Application Fee

Unless you are entitled to a waiver or reduction, you must send the Application Fee with the application and the required documents.

The amount of the application fee will depend on the number of pitches or Mobile Homes to which this application relates.

Number of pitches or Mobile Homes to which this application relates

Where the application relates to one pitch or Mobile Home
Where the application relates to two pitches or Mobile Homes

Application Fee

£155
£205

Where the application relates to three or four pitches or Mobile Homes	£410
Where the application relates to five or more pitches or Mobile Homes	£515

The fee must be paid by crossed cheque or a postal order made payable to the “National Assembly for Wales”. Do not send cash under any circumstances. Cash payments will not be accepted.

Please note:

If you do not send the correct fee payable to the “National Assembly for Wales” or if you send cash, the application and the cash will be returned to you at your risk.

Waiver of Fees

If the Applicant(s) or the partner(s) of any Applicant(s) is/are in receipt of certain income-related benefits, the Application Fee may be waived or reduced.

To claim a waiver or reduction in the Application Fee, the Applicant(s) in receipt of such benefit or Applicant(s) whose partner(s) is/are in receipt of such benefit must complete a waiver application form which can be obtained from the Residential Property Tribunal. This will not be copied to the other parties.

Language Preference

The Residential Property Tribunal welcomes receiving correspondence in Welsh or English. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding. The Tribunal also welcomes phone calls in Welsh or English.

You may submit forms, documents and make written representations to the tribunal in Welsh or English.

Please inform the tribunal of your language preference by completing box 3 below.

It is important that you read the notes above carefully before you complete this form.
Please write clearly in **BLACK** ink.

MH8

1. DETAILS OF MOBILE HOME AND SITE

Address Mobile Home and Site:	
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2. DETAILS OF APPLICANT

Name of occupier:	
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Address of occupier (including postcode):	
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Address for correspondence (if different):	
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Telephone:

Day:

Evening:

Mobile:

Email address:

Name and address and details of agent/representative (if relevant)
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Where details of an agent/representative have been given, all correspondence and communications will be with them until the Tribunal is notified that they are no longer acting for the applicant(s).

3. LANGUAGE PREFERENCE

Please indicate your language preference:

Written correspondence? Welsh / English (please delete as appropriate)

Verbal communication? Welsh / English (please delete as appropriate)

Do you wish to speak Welsh in any legal proceedings that may result from this application i.e. tribunal hearing or pre-trial review?

Yes / No (please delete as appropriate)

4. DETAILS OF RESPONDENT SITE OWNER

Name of site owner:	
Address of site owner (including postcode):	
Telephone:	
<i>Day:</i>	
<i>Evening:</i>	
<i>Mobile:</i>	
Email address:	

5. DETAILS OF AGREEMENT (IF ANY)

Date of agreement:	
Parties to the agreement:	
Date of any statement received:	

Please enclose:

A copy of any statement received. ☐

A copy of any correspondence that you have sent or received in connection with the site owner's obligation to give you a statement that complies with the requirements of the Act. ☐

6. ADDITIONAL INFORMATION

Please set out briefly why you believe that the tribunal should make the determination requested:

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7. CAN WE DEAL WITH YOUR APPLICATION WITHOUT A HEARING?

It may be possible for your application to be dealt with entirely on the basis of written representations and documents and without the need for parties to attend and make oral representations. ("a paper determination").

Please let us know if you would be happy for the case to be dealt with by way of paper determination.

YES ☐ NO ☐

NB: Even if you have asked for a paper determination the Tribunal may decide that a hearing is necessary. You can also ask for a hearing at any time before the determination is made. Please go on to complete the remainder of this form on the assumption that a hearing will be held.

8. AVAILABILITY

If there are any dates or days we must avoid during the next three months (either for your convenience or the convenience of any witness or expert you may wish to call) please list them here.

Dates on which you will NOT be available:

Date: _____ Date: _____ Date: _____

Date: _____ Date: _____ Date: _____

9. VENUE REQUIREMENTS

Please provide details of any special requirements you or anyone who will be coming with you may have (e.g. wheelchair access, presence of an interpreter). It will assist the Tribunal in making the arrangements if it has been made aware of your needs.

10. STATEMENT OF TRUTH

I believe that the facts stated in this application are true.

Signed: _____

Name (in capitals) _____

Capacity (if appropriate)(eg Director, Solicitor): _____

Date: _____

CHECK LIST

Please check that:

- You have completed this form IN FULL.
- You have enclosed all the required documents.
- That you have paid the appropriate fee or application for waiver.

The Tribunal will not process your application if you have not done so.

If you have any questions about how to fill in this form or the procedure the Tribunal will use, please contact the Residential Property Tribunal on 0300 025 2777 or e-mail rpt@gov.wales

The Residential Property Tribunal will not accept applications by FAX or E-mail.

Please send the completed application form and the required documents to:

Residential Property Tribunal
1st Floor, West Wing
Southgate House
Wood Street
Cardiff
CF10 1EW