



## GUIDANCE ON APPEAL FROM THE RESIDENTIAL PROPERTY TRIBUNAL

***This guidance document is also available in Welsh. Please contact the tribunal for a Welsh version of this document.***

### Language Preference

The LVT 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 LVT in Welsh or English.

1. The decision of the Residential Property Tribunal (RPT) is final and there is no power for the RPT to revisit or reconsider that decision. If you are dissatisfied with the decision of an RPT, the statutory remedy is to appeal to the Upper Tribunal (Lands Chamber).<sup>1</sup>
2. The RPT will provide written reasons for its decision. A decision and reasons may be issued together. Alternatively, a decision may be issued and a reasons document sent at a later stage.
3. In order to appeal you must first obtain permission to do so. Application for permission must first be made to the RPT. If the RPT refuses permission you may ask the Upper Tribunal (Lands Chamber) for permission to appeal. (See paragraph 9 below for details).
4. The general rule is that your request to the RPT for permission to appeal must be made within the period of 21 days of the date specified in the decision notice as the date the decision was given.<sup>2</sup> (Alternatively your request for permission may be made orally at a hearing if the tribunal announces at that hearing the decision that you wish to appeal).<sup>3</sup>
5. Despite the general rule (above), the RPT has power to extend the time within which a request for permission to appeal may be made even if the 21 day period has expired. This power may only be exercised where (a) it would not be reasonable to expect you to request or to have requested permission within the 21 day period or (b) where not to permit a request to be made out of time would result in substantial injustice.<sup>4</sup>
6. A request for permission to appeal that is made in writing must be signed by you or your representative and must:

- a) state the name and address of you and any representative;
  - b) identify the decision and the tribunal to which the request for permission relates and
  - c) state the grounds on which you intend to rely in the appeal.
7. On receipt of a request for permission to appeal the RPT will serve a copy on every other party to the decision that is being appealed. To facilitate the process it would assist if you were to provide sufficient copies with the request.
  8. The RPT will give you and every other party written notification of its decision. If permission to appeal to the Upper Tribunal (Lands Chamber) is granted by the RPT your notice of intention to appeal must be sent to the registrar of the Upper Tribunal (Lands Chamber) so that it is received within 1 month after the date that the RPT's notice of permission to appeal was sent to you.<sup>5</sup>
  9. If the RPT refuses to give permission to appeal, you may renew your application for permission to the Upper Tribunal (Lands Chamber). Your application must be made in writing and received by the Upper Tribunal (Lands Chamber) no later than 14 days after the date on which the RPT's notice of refusal was sent to you. (Details as to the power of the Upper Tribunal (Lands Chamber) to permit a notice of appeal or application for permission to appeal to be made outside the relevant time limit are given in the Upper Tribunal (Lands Chamber) "Explanatory Leaflet: A Guide for Users" obtainable from the Upper Tribunal (Lands Chamber)).

The Upper Tribunal (Lands Chamber) may be contacted at:

Upper Tribunal (Lands Chamber)  
 5<sup>th</sup> Floor Rolls Building  
 7 Rolls Buildings  
 Fetter Lane  
 LONDON  
 EC4A 1NL  
 DX: 160042 Strand 4

Tel: 0207 612 9710  
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 Website: [www.landstribunal.gov.uk](http://www.landstribunal.gov.uk)

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<sup>1</sup> Housing Act 2004. Section 231

<sup>2</sup> The Residential Property Tribunal Procedures and Fees (Wales) Regulations 2012 (S1 No 531(W83))

<sup>3</sup> Ibid

<sup>4</sup> Ibid

<sup>5</sup> The Tribunal Procedure (Upper Tribunal) (Lands Chamber ) Rules 2010