



Application Form

Part IV Landlord and Tenant Act 1987

Application for the variation of a lease or leases

It is important that you read the notes below carefully before you complete this form.

Please write clearly in BLACK ink and tick boxes where appropriate.

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 you want to ask the Leasehold Valuation Tribunal (“The Tribunal”) to vary a lease or leases under Part IV of the Landlord and Tenant Act 1987 (Applications under section 35, 36, 37 and 40).

Documents

You must send the following document(s) (“required document(s)”) with this application:

- a list of the names and addresses of all persons who you know or have reason to believe are likely to be affected by any variation specified in this application.
- a copy of the lease(s). If there is more than one lease and they are all in common form you need only send a typical lease.
- a draft of the variation sought.

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.

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.

You are required to send notice of this application to the Respondent and all persons who you know or have reason to believe are likely to be affected by any variation specified in this application. This may include other leasees, mortgagees or superior landlord.

Note to Respondent

You are required to send notice of this application to any person not notified by the applicant(s) who you know or have reason to believe are likely to be affected by any variation specified in this application.

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

**Residential Property Tribunal
Oak House
Cleppa Park
Celtic Springs
Newport
NP10 8BD**

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.

The tribunal will accept applications by email to rpt@gov.wales or in hard copy by post.

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

1. DETAILS OF APPLICANT(S) (If there are multiple applicants please continue on a separate sheet)

Name: _____

Address (including postcode): _____

Address for correspondence (if different): _____

Telephone: Day: _____ Evening: _____ Mobile: _____

Email address: _____

Capacity (e.g. Owner): _____

Representative details: _____

Where details of a representative have been given, all correspondence and communication will be through them until the tribunal is notified that they are no longer acting for the applicant(s).

2. PROPERTY ADDRESS (including postcode)

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(S) (all other current parties to the lease must be made Respondents. If there are multiple respondents please continue on a separate sheet)

Name: _____

Address (including postcode): _____

Address for correspondence (if different): _____

Telephone: Day: _____ Evening: _____ Mobile: _____

Email address: _____

Capacity e.g. Owner,
Managing Agent

Name: _____

Address (including postcode): _____

Address for correspondence (if different): _____

Telephone: Day: _____ Evening: _____ Mobile: _____

Email address: _____

Capacity e.g. Owner,
Managing Agent

Name: _____

Address (including postcode): _____

Address for correspondence (if different): _____

Telephone: Day: _____ Evening: _____ Mobile: _____

Email address: _____

Capacity e.g. Owner,
Managing Agent:

5. LEASE VARIATION(S) TO BE CONSIDERED BY THE TRIBUNAL

This application is made under the Landlord and Tenant Act 1987:

Section 35 Section 36 Section 37 Section 40

Please provide a clear outline of your case so that the Tribunal understands what your application is about. You will be given an opportunity to give further details of your case at a later date.

Please continue on a separate sheet if necessary.

The grounds of the claim

6. OTHER APPLICATIONS

Do you know of any other cases involving either:

- (a) the same or similar issues about the variation of a lease or leases as in this application; or
- (b) the same landlord or tenant or property as in this application?

If so, please give details

7. LIMITATION OF COSTS

If you are a tenant, do you wish to make a Section 20C application (See note below)

If so, why?

Note: some leases allow a landlord to include costs incurred in connection with proceedings before a Tribunal as part of a service charge. Section 20C of the Landlord and Tenant Act 1985 gives the Tribunal power, on application by the tenant, to make an order to the effect that such costs are not to be treated as relevant costs to be taken into account in determining the amount of any service charge payable by the tenant or any other person(s) specified in the application. If you are a tenant you should indicate here whether you want the Tribunal to consider making such an order.

If you are a tenant and this application has been made by another tenant, your Landlord or managing Agent, may nonetheless ask the Tribunal to make an Order under Section 20C. If so please write to the Tribunal asking it to make such an order and set out the reasons why.

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

It is possible for your application to be dealt with entirely on the basis of written representations (“paper determination”) but only if:

- the Tribunal thinks it is appropriate
- all parties agree

Even if you agree to a paper determination

- the Tribunal may decide that an oral hearing is necessary
- you or any other party may still ask for an oral hearing at any time before the determination is made

Do you agree to this hearing being determined without an oral hearing YES NO

Please ensure that you complete this form in full on the assumption that there will be an oral hearing.

9. URGENCY OF APPLICATION

We need to decide whether the case needs to be dealt with quickly. Please let us know if there is a particular urgency for a determination in this case and if so, why?

10. AVAILABILITY

If there are any days or dates we must avoid during the next three months please list them here. Dates on which you will **NOT** be available:

11. 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.

12. STATEMENT OF TRUTH

I confirm that I have sent notice of this application to all the persons listed in the required documents.

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

Signed: _____

Name (IN CAPITALS): _____

Capacity (if appropriate)(eg Director,
Company Secretary)

Date: _____

Checklist

Please check that:

- you have completed this form IN FULL
- you have enclosed all the required documents
- you have enclosed the correct fee payable to 'National Assembly for Wales' and/or any waiver application form

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

Please contact the Residential Property Tribunal if you have any questions about how to fill in this form or the procedures the Tribunal will use:

Telephone: 0300 025 2777

Email: rpt@gov.wales