



Y Tribiwnlys Eiddo Preswyl
Residential Property Tribunal

Application with regard to the proposed making, varying or deletion of a site rule or rules.

Mobile Homes (Wales) Act 2013, (“the Act”) Section 52(9) and (10). The Mobile Homes (Site Rules) (Wales) Regulations 2014 (“the Regulations”), regulation 10.

THIS FORM RELATES TO MOBILE HOME SITES IN WALES

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 are **either**

- a) An occupier of a mobile home on a protected site **or**
- b) A qualified residents’ association.

and have received a “consultation response document” from the site owner which states that the owner has decided to implement a proposal to make, vary or delete a site rule or rules **and** you wish to appeal against that decision.

Time Limits

You may appeal to the tribunal **within 21 days of receipt of the consultation response document** on the grounds set out in box 5 in this form.

NB Where an appeal is made, the applicant, **MUST, also within 21 days of receipt of the consultation document;**

1. Notify the site owner of the appeal in writing, **AND**
2. Provide the owner with a copy of the application made to the RPT (and supporting documents).

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.

A site rule is a rule made by the site owner in accordance with section 52(2) of the Act and regulation 4 of the Regulations which a) relates to the management and conduct of the site or b) is necessary to ensure that acceptable standards are maintained on the site which will be of general benefit to occupiers or c) is necessary to promote and maintain community cohesion on the site.

Documents

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

- The proposal notice issued by the site owner under regulation 8 of the Regulations.
- The consultation response document issued by the site owner under regulation 9
- Any other relevant documents supporting the application

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	Application Fee
Where the application relates to one pitch or Mobile Home	£155
Where the application relates to two pitches or Mobile Homes	£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 either a crossed cheque or postal order drawn in favour of the “Welsh Government” or by bank transfer, details of which can be provided upon request. 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 “Welsh Government” 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.

MH21

1. DETAILS OF MOBILE HOME AND SITE

Address of mobile home and site:	
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2. DETAILS OF APPLICANT

Name:	
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Address (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:	
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Address of premises to which agreement to occupy relates (including postcode):	
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Address for correspondence (if different):	
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Telephone:

Day:

Evening:

Mobile:

Email address:

5. DETAILS OF AGREEMENT (IF ANY) AND CONSULTATION RESPONSE DOCUMENT

Date of Agreement: _____

Parties to Agreement:

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Date on which consultation response document received: _____

Please enclose following documents and tick the relevant box to indicate that you have enclosed the required information:

- A copy of the proposal notice issued by the site owner
- A copy of the consultation response document received
- A copy of any correspondence that you have sent or received in connection with the site owner's obligation to give you a consultation response document.
- Copy of the written notification to the owner of this appeal being made and proof that you have sent the owner a copy of this application

6. DETAILS OF GROUNDS ON WHICH YOU WISH TO APPEAL

Please **tick** the appropriate box indicating the ground(s) under Regulation 10 (2) on which you wish to appeal:

A site rule makes provision in relation to any of the prescribed matters set out in Schedule 5 of the Regulations

The owner has not complied with one of the prescribed procedural requirements imposed by regulations 7 to 9 of the Regulations

The owner's decision was unreasonable having regard, in particular to:

The proposal or the representations received in response to the consultation;

The size, layout, character, services or amenities of the site; or

The terms of any planning permission or conditions of the site licence

Please provide any further information in support of your appeal grounds

7. 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 and either
- All the parties agree or
- The Respondent has notified the Tribunal that he/she does not oppose the application.

Even if you agree to a paper determination

- The Tribunal may nonetheless 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 application 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.

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.
- You have notified the owner of the appeal in writing **and** provided the owner with a copy of this application (and any supporting documentation) **within 21 days of receipt of the consultation response document.**

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

Please send your completed application form, the fee and the required documents to:

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