



Y Tribiwnlys Eiddo Preswyl
Residential Property Tribunal

Application Form **Section 168(4) of the Commonhold and Leasehold Reform Act** **2002**

Application to determine that a breach of covenant or a condition in the lease has occurred

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 are a landlord under a long lease of a dwelling (i.e. generally a lease that has been granted for more than 21 years) and
- you wish to apply to the Tribunal for a determination under section 168(4) of the Commonhold and Leasehold Reform Act 2002 that a breach of covenant or condition in the lease has occurred.

Documents

You must send a copy of the lease(s) containing the covenant or condition alleged to have been breached. Failure to send the required lease(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.

Please send the completed application form and the required lease(s) to:

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

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.

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: _____

_____**1A. Disclosure of information**

The Tribunal may copy the application form to other appropriate persons (e.g. other service charge paying leaseholders in the building or development). If you are a leaseholder and do not want your telephone number or email address to be disclosed to other such persons, please omit those details from Box 1 and attach them on a separate sheet.

Please also confirm that you do not want your (a) telephone number (b) email address details disclosed to other persons and confirm that you have supplied these on a separate sheet headed in bold and capital letters; **CONTACT DETAILS NOT TO BE SHARED WITH OTHERS.**

If you are sending in the application form and attachments by PDF, then the contact details not to be shared sheet **MUST** be sent in a separate attachment.

Note:

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.

2. SUBJECT 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)

Name: _____

Address (*including postcode*): _____

Address for correspondence (*if different*): _____

Telephone: *Day*: _____ *Evening*: _____ *Mobile*: _____

Email address: _____

5. DETAILS OF COVENANT OR CONDITION OF THE LEASE ALLEGED TO HAVE BEEN BREACHED

Please specify the particular covenant in the lease that is alleged to have been breached, and give details as to the nature of the alleged breach.

6. JURISDICTION

Has the tenant admitted the breach?

YES

NO

Has the alleged breach been:

- | | | |
|--|------------------------------|-----------------------------|
| • referred to arbitration or is it be so referred | YES <input type="checkbox"/> | NO <input type="checkbox"/> |
| • the subject of determination by a Court | YES <input type="checkbox"/> | NO <input type="checkbox"/> |
| • the subject of determination by an arbitral Tribunal | YES <input type="checkbox"/> | NO <input type="checkbox"/> |

If yes, please give details.

Please note that the Residential Property Tribunal may not have jurisdiction in such circumstances.

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
- all parties agree in writing

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 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. 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?

9. 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:

10. 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.

11. STATEMENT OF TRUTH

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

Signed:

Name (IN CAPITALS):

Capacity (if appropriate) (e.g. Director, Company Secretary)

Date:

Checklist

Please check that:

- you have completed this form in full
- you have enclosed the lease(s)

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