



Application Form

Section 20ZA of the Landlord and Tenant Act 1985

Application for the dispensation of all or any of the consultation requirements provided for by section 20 of the Landlord and Tenant Act 1985

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

Please write clearly and 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 make an application to dispense with all or any of the consultation requirements relating to “qualifying works” or a “qualifying long term agreement” as defined in Section 20 of the Landlord and Tenant Act 1985

You are recommended to consider The Service Charges (Consultation Requirements) (Wales) Regulations 2004 (2004 No 684)(W.72)

You may make this application at any time – even after the works have begun or have been completed, or after the agreement has been entered into.

Documents

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

- a copy of the lease(s). If there is more than one lease and they are all in a common form you need only send a copy of a typical lease.
- a list of the names and addresses of all lessees who are required to contribute to the cost of works.
- on a separate sheet, the telephone numbers, fax numbers and e-mail addresses of the lessees. This document will not be copied and sent to the lessees.

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

It may assist the Tribunal if you could also send:

- a copy of any report, specification and/or estimates relating to the works
- a copy of any notices sent to the lessees relating to the works together with any responses from the lessee(s)

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 dwellings to which the application relates. To find out how much you will need to pay you should consult the following table:

Number of dwellings to which application relates	Application Fee
5 or fewer dwellings	£150
Between 6 and 10 dwellings	£250
More than 10 dwellings	£350

The fee must be paid by either a crossed cheque or a 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 payment will not be accepted and any application accompanied by cash will be returned to the applicant at their own 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 the 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 other parties.

Please send the completed application form, the required documents and the appropriate fee or completed waiver form 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 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. landlord/management company): _____

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. PROPERTY ADDRESS (including postcode) (if not already given)

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 RESPONDENTS (s)

The name(s), addresses and contact addresses of the lessee(s) liable to contribute to the cost of the works or (as the case may be) the long term agreement are set out on the attached sheet.

- Their telephone and fax numbers and e-mail addresses of the above are to be provided on a separate sheet for use of the Tribunal only.

5. DETAILS OF LANDLORD (if not already given)

Name: _____

Address (including postcode): _____

Telephone: Day: _____ Evening: _____ Mobile: _____

Email address (if known): _____

6. DETAILS OF ANY RECOGNISED TENANTS' ASSOCIATION (if known)

Name of Secretary: _____

Address (including postcode): _____

Telephone: Day: _____ Evening: _____ Mobile: _____
 Email address (if known): _____ Fax: _____

7. DISPENSATION SOUGHT

Applicants may seek a dispensation of all or any of the consultation requirements in respect of either qualifying works or long-term agreements.

Does the application concern qualifying works? YES NO

If yes, have the works started/been carried out? YES NO

Does the application concern a qualifying long-term agreement? YES NO

If yes, has the agreement already been entered into? YES NO

For each set of qualifying works and/or qualifying long-term agreements please complete one of the sheets of paper entitled “**GROUND FOR SEEKING DISPENSATION**” (page 6)

8. OTHER APPLICATIONS

Do you know of any other cases involving either:

(a) related or similar issues about the management of this property; or

(b) the same landlord or tenant or property as in this application? If so, please give details:

9. 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

If there is a paper determination, you will not have to pay the hearing fee of £150 but you will not be able to explain your case in person.

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.

10. 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?

11. 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: _____

12. 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 aware of your needs.

13. GROUNDS FOR SEEKING DISPENSATION

PLEASE USE THE SPACE BELOW TO PROVIDE INFORMATION MENTIONED IN SECTION 7 OF THIS FORM.

You will be given an opportunity later to give further details of your case and to supply the Tribunal with any documents that support it. At this stage you should give a clear outline of your case so that the Tribunal understands what your application is about. Please continue on a separate sheet if necessary.

1. Describe the qualifying works or qualifying long-term agreement concerned, stating when the works were carried out or are planned to be carried out or in the case of a long-term agreement, the date that agreement was entered into or the proposed date it is to be entered into.

2. Describe the consultation that has been carried out or is proposed to be carried out.

3. Explain why you seek dispensation of all or any of the consultation requirements.

14. 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

- you have completed this form IN FULL.
- you have enclosed all the required documents
- you have enclosed the correct fee payable to “Welsh Government” 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