



Y Tribiwnlys Eiddo Preswyl
Residential Property Tribunal

Application by a protected site owner for a determination that improvements should be taken into account when the pitch fee is reviewed

Paragraph 18(1)(a)(iii) of Schedule 2, Chapter 2 and Paragraph 48(1)(a)(iii) of Schedule 2, Chapter 4 to the Mobile Homes (Wales) Act 2013 (“the Act”).

THIS FORM RELATES TO MOBILE HOME SITES IN WALES ONLY INCLUDING PERMANENT PITCHES ON GYPSY AND TRAVELLER 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 a Mobile Home protected site owner who has expended sums on improvements to the site since the last review date which you wish to be taken into account when determining the amount of a new pitch fee and the improvements;

- a) are for the benefit of the occupiers of mobile homes on the protected site
- b) were the subject of consultation in accordance with paragraphs 22(1)(e) and (f) of Schedule 2, Chapter 2 to the Act or paragraphs 52(1)(f) and (g) of Schedule 2, Chapter 4 to the Act, and
- c) have been subject to the disagreement in writing of a majority of occupiers* of mobile homes on the protected site and;
- d) you want the tribunal to order that the improvements be taken into account when determining the amount of the new pitch fee.

*When calculating what constitutes a majority of occupiers, each mobile home is to be taken to have only one occupier, and in the event of there being more than one occupier of a mobile home, its occupier is taken to be whichever of them the occupiers agree or, in default of agreement, the one whose name first appears on the agreement.

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.

Documents

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

- A statement of the sums expended on improvements since the last review date;
- Details of the improvements
- Copies of the written disagreement to the improvements from the majority of occupiers.
- Details of the consultation undertaken with the occupiers under paragraph 22(1)(e) and (f) of Schedule 2, Chapter 2 of the Act and copies of their responses.

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.

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.

MH17

1. NAME AND ADDRESS OF SITE

Name and Address of Site:	
---------------------------	--

2. DETAILS OF APPLICANT SITE OWNER

Name:	
-------	--

Address (including postcode):	
-------------------------------	--

Address for correspondence (if different):	
--	--

Telephone:

Day:

Evening:

Mobile:

Email address:

Name and address and details of agent/representative (if relevant)
--

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

Name:	
-------	--

Address of premises to which agreement to occupy relates (including postcode):	
--	--

Address for correspondence (if different):	
--	--

Telephone:

Day:

Evening:

Mobile:

Email address:

Please attach separate sheet if applicable.

5. REVIEW DETAILS

Date agreement for occupation was entered into: _____

Review date (if any) specified in agreement: _____

Date of last review: _____

Was the last review by agreement or by order of the court or tribunal? (please tick)

Agreement Court Tribunal

6. ADDITIONAL INFORMATION ON IMPROVEMENTS

Please set out briefly why you believe that the tribunal should make the determination requested including information on the following: (please tick to indicate these are included in your application)

- A statement of the sums expended on improvements since the last review date;
- Details of the improvements
- Copies of the written disagreement to the improvements from the majority of occupiers.
- Details of the consultation undertaken with the occupiers under paragraph 22(1)(e) and (f) of Schedule 2, Chapter 2 of the Act and copies of their responses.

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.
- The Tribunal gives the parties not less than 14 days notice in writing of its intention to do so.

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.

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 Residential Property Tribunal will not accept applications by FAX or Email.

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

Residential Property Tribunal
1st Floor, West Wing
Southgate House
Wood Street
Cardiff
CF10 1EW