



Y Tribiwnlys Eiddo Preswyl
Residential Property Tribunal

Appeal against a local authority decision that a person is not a fit and proper person to manage a site.

Section 29(6)(b) Mobile Homes (Wales) Act 2013 (“the Act”).

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 the owner/manager of a regulated residential site for mobile homes, the local authority decides that you are not a fit and proper person to manage a site, and you wish to appeal to the tribunal against that decision.

The appeal to the tribunal under section 29(6) may be made within the period of 28 days beginning with the day on which the local authority’s decision is made.

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 copy of the site licence and any supporting documentation.
- A copy of the local authority notice served under section 29(6)(a)
- Any documents containing evidence under section 29(3) and (4).
- 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 crossed cheque or a postal order made payable to the “National Assembly for Wales”. 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 “National Assembly for Wales” 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.

MH5

1. DETAILS OF SITE

Address of Site:	
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2. DETAILS OF APPLICANT

Name:	
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I am the owner and manager/person appointed to manage the site (delete where applicable)
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Address for correspondence	
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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 SITE OWNER IF DIFFERENT TO APPLICANT

Name:	
Address for correspondence	
Telephone:	
<i>Day:</i>	
<i>Evening:</i>	
<i>Mobile:</i>	
Email address:	

5. DETAILS OF LOCAL AUTHORITY

Name:	
Address for correspondence (if different)	
Telephone:	
<i>Day:</i>	
<i>Evening:</i>	
<i>Mobile:</i>	
Email address (if known):	

6. DATE OF DECISION APPEALED AGAINST

What was the date of the local authority's decision that you are not a fit and proper person to manage a site? _____

Please enclose the notification and reasons received from the local authority under section 29(6)(a)

7. DETAILS OF GROUNDS FOR APPEAL

Please summarise below the grounds for appeal against the local authority's decision that the owner is not a fit and proper person to manage the site, or if the owner does not manage the site, that a person appointed to do so by the owner is not a fit and proper person to do so, (continue on a separate sheet if required)

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

It may be possible for your application to be dealt with entirely on the basis of written representations and documents and without the need for parties to attend and make oral representations. ("A paper determination").

Please let us know if you would be happy for the case to be dealt with by way of paper determination.

YES NO

NB: Even if you have asked for a paper determination the Tribunal may decide that a hearing is necessary. You can also ask for a hearing at any time before the determination is made. Please go on to complete the remainder of the form on the assumption that a hearing will be held

9. 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: _____

10. VENUE REQUIREMENTS

Please provide details of any special requirements you or anyone who will be coming with you may have. Hearings are held in local venues. It will assist the Clerks to book a suitable venue if they have 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)(eg Director,
Solicitor):

Date:

CHECK LIST

Please check that:

- You have completed this form IN FULL.
- You have enclosed all the required documents.
- That you have paid the appropriate fee.

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 E-mail.

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