



Department for Communities and Local Government – Fact sheet

Understanding the Mobile Homes Act 1983 – Disputes and proceedings

In April 2011, the Government introduced a new system for dealing with disputes under the Mobile Homes Act 1983 (or an agreement to which it applies) if the resident and the site owner are not able to negotiate a settlement.

Since that date, most types of disputes and proceedings have been dealt with by residential property tribunals. There are exceptions to this rule which we describe below.

This fact sheet gives some basic information for people who use residential property tribunals, what they can deal with and how they deal with applications made to them. It does not give a full statement of the law. Only the tribunals or courts can give an interpretation of the law that applies. And, it does not cover all aspects of the residential property tribunal rules.

Introduction

Residential property tribunals – an overview

Residential property tribunals are specialist housing tribunals run by HM Court and Tribunal Service. They are run through a network of regional offices covering the north of England, the Midlands, eastern England, southern England and London.

The addresses and contact details of the regional offices showing the local authorities each tribunal cover are in Annex A.

A residential property tribunal (tribunal) normally has three members. A legally qualified person will usually act as chair. The second member will normally be a qualified surveyor or environmental health officer with expertise in the condition or valuation of properties. The third member will usually be a lay person with some knowledge of the area or other expertise. Sometimes a tribunal will sit with two members to decide on an application, more

often where the case is to be decided without a hearing. The tribunal will usually carry out case-management conferences, and other procedural decisions made, by a chair sitting alone. We explain more about case-management conferences and hearings below.

Types of sites over which a tribunal can make decisions

1.1 Since 30 April 2011 residential property tribunals have had the power to deal with an application that relates to a 'protected site' within the meaning of the Mobile Homes Act 1983 (the Act) in England. These include:

- a park home site (and any home or pitch within it);
- a park home or pitch within a mixed residential or holiday site as long as it is within the residential (protected site) part;
- an authorised privately owned or managed traveller site (and any home or pitch within it); and
- a traveller site owned by a local authority (and any home or pitch within it).

1.2 A tribunal will not be able to deal with applications for homes or pitches or on issues about sites:

- that are made up of holiday lodges, caravan holiday homes, touring caravans or holiday chalet accommodation;
- which have planning permission for holiday use only; or
- which otherwise have planning restrictions preventing people from living permanently in the homes on the pitches.

Types of applications and proceedings that can be made to a tribunal

2.1 The matters that a tribunal can decide on are shown in Annex B. There are certain matters that a tribunal cannot deal with. These include the following.

Applications to end agreements for certain reasons

2.2 A tribunal may not consider an application to end an agreement if the application is made because:

- a term or terms of the pitch agreement have been broken and the notice aimed at sorting out the problem has not been kept to; or
- the resident has stopped living in the home as their only or main home.

- 2.3 Applications for these reasons must be made to a county court which will decide whether it is reasonable to authorise the agreement to be ended. You can find out where your local county court is and get more details on how to make an application from www.justice.gov.uk.
- 2.4 Special rules apply to applications to end agreements because the home is having a negative effect on the site. These rules mean that the proceedings should start in the tribunal. **A court cannot consider an application for this ground unless the tribunal has given permission to make it.** (See below for details on these applications.)

Proceedings which began in the county court before 30 April 2011

- 2.5 If an application was started in the county court before 30 April 2011, the court cannot transfer it to a tribunal.

Issues outside the scope of the Mobile Homes Act 1983

- 2.6 A tribunal can only deal with issues that relate to the Act or an agreement made under it. A tribunal cannot deal with the following.
- An agreement made between the resident and the site owner, but not within the Act. This could include an agreement to sell land or goods, if the Act does not apply to the contract. (You should get legal advice on any issues arising or contact the local trading standards officer)
 - Matters relating to planning permission or enforcement. (You should first contact the local-authority planning department)
 - Site licensing issues. (You should contact the local-authority department responsible for licensing sites).
 - Criminal matters, such as unlawful eviction, harassment or intimidation. (You should contact the local-authority tenancy relations officer or the police)

Special rules applying to local-authority traveller transit sites

- 2.7 People who live on local-authority transit sites (for up to three months) and the local authority may, in some circumstances, apply to a tribunal to decide on a dispute. However, the tribunal cannot deal with all matters. If you are not sure whether a case can be taken to a tribunal, the regional office local to your site should be able to tell you.

Applying to the tribunal

Making applications

- 3.1 A resident or the site owner can apply to a tribunal or can ask someone to make the application on their behalf. If you are acting for yourself and cannot, or find it difficult to read or write English, you may ask the regional office staff for help in filling in the application. However, they cannot offer you any legal advice or help on the contents or merit of your proposed application.
- 3.2 You can get an application form from your local regional office (see Annex A) or by downloading one from the residential property tribunal page on the website at www.justice.gov.uk.
- 3.3 For most types of application, you will need to supply other information to support your application. Your local regional office can tell you what is needed.

Paying the fees

- 3.4 For some types of application, for example on pitch fee reviews, you do not have to pay a fee. For others, such as applications to move a home, you will pay a fee. Annex B sets out which types of applications involve a fee.
- 3.5 If you are, or your partner, are receiving certain state benefits, you will not have to pay a fee.
- 3.6 You can get more information on the fee for your application or whether you do not have to pay a fee from your local regional office.

Making several applications and references

- 3.7 An application relating to a single pitch or home may be concerned with more than one issue under the Act. For example, it may concern both terms to be implied in an agreement and deleting express terms.
- 3.8 On the other hand an application on a single issue may involve more than one home or pitch, for example, an application to move homes. The maximum number of homes that can be included in one application is 20.
- 3.9 These applications and references have a higher fee than single applications and your local regional office will be able to tell you what the fee is.
- 3.10 You cannot make an application for two or more homes if it concerns two or more issues.
- 3.11 An application to recognise a qualifying residents' association is treated as one reference application. So is an application relating to the site as a whole, or a specific part of it, as long as it only involves one issue - for example if it is about the standard of maintenance of the shared areas.

Responding to an application

- 3.12 When a tribunal receives an application, they will serve a copy of it on you (the respondent). If you are acting for yourself and cannot, or find it difficult to read or write English, you may ask the staff at the regional office for help in reading the application and in completing the reply. However, they cannot offer you any legal advice or help or advise on the contents or merit of the proposed application or how you should respond to it.
- 3.13 At this stage the tribunal must ask you (the respondent) whether you plan to oppose the application or not. The tribunal must give you at least 14 days in which to respond. It is important for you to reply.
- 3.14 Special rules apply to urgent applications relating to selling homes. These are shown below.

If you do not object to the application

- 3.15 If you tell the tribunal you do not oppose the application, they may allow it without further enquiry or proceedings (but they do not have to do so).

Directions

- 3.16 Sometimes the tribunal will want more information about the application or the reply, so that they, the resident and the site owner can fully understand the issues and have access to the evidence.
- 3.17 As a result, they may issue what are called 'directions' telling you to supply the information, and sometimes they may tell you to send it direct to the other side. It is important to follow any directions within the time given. If you don't, the tribunal may find the case against you and sometimes the application will be allowed in part or whole, or dismissed.

Case-management conferences

- 3.18 In more complicated cases the tribunal might decide to hold what is called a case-management conference. The purpose of the conference is to:
- clarify the issues that need to be dealt with;
 - identify what other documents are needed (see the information above on directions);
 - decide on procedural matters and decide the time needed to be allocated to a case.
- 3.19 A case-management conference is **not** a hearing. Sometimes the conference will be in the form of a meeting or it can be carried out over the phone. A conference is usually carried out by a tribunal chair sitting alone.

Withdrawing an application

- 3.20 If you are the applicant and settle the issue or do not want to go ahead with the case, you can usually withdraw the application, or a specific part of it. However, in certain circumstances the tribunal will not allow you to withdraw the application if there are issues still to be dealt with or they consider you should pay the costs of the other side.
- 3.21 You can normally withdraw the application (or part) before the tribunal starts to consider the evidence (whether at a hearing or at a meeting), as long as you let the tribunal and the respondent know in writing that you are doing this.
- 3.22 You can only withdraw an application after the tribunal has begun considering the evidence, if the tribunal is satisfied that the respondent agrees to the application being withdrawn and the tribunal approves the withdrawal.

Representatives

- 3.23 You can ask someone to represent you in connection with the proceedings or to speak for you or present your case at a hearing. This could be a relative, a friend, a residents' association or a solicitor, or anyone authorised to act on your behalf.
- 3.24 If you appoint a representative to act for you in connection with the proceedings, all the paperwork, including notices about hearings and the decision itself, will be sent to your representative (unless you tell the tribunal that the representative is no longer acting for you). It is your representative's responsibility to keep you informed about the progress of the case and to get your instructions on how to go forward.
- 3.25 You should also bear in mind that, if you appoint a professional representative, you will be responsible for paying their fees and costs. You will not be able to recover these costs from the other side if the tribunal finds in your favour.

Time limits

Time limits for making an application

- 4.1 For most types of cases there is no time limit for making an application, although the applicant may need to show the tribunal that they have served the notice needed or entered into negotiation on the issue with you before lodging the application.
- 4.2 However, there are some types of cases where there are time limits for making an application to a tribunal.

Selling or giving away a home

- 4.3 If the resident has given the site owner notice asking for their approval of a person they want to sell or give their home to and:
- the site owner has responded within 28 days refusing to approve this, the resident must apply to the tribunal within **three months of receiving that refusal**; or

- the site owner has not responded to the request, the resident cannot apply to the tribunal **earlier than the 29th day** after you made the written request to the site owner or **later than three months from the 29th day**.

Pitch fee reviews

- 4.4 If the site owner has served a notice on the resident to review the pitch fee due and:
- the resident does not agree to the new pitch fee within 28 days of the review date given in the notice, the site owner (or the resident) will have to apply to a tribunal **no earlier than the 29th day following the review date and no later than three months from the review date; and**
 - the review is proposed to come into force 28 days from the date the notice was served and you have not agreed to the new pitch fee the site owner (or the resident) may not apply to the tribunal **earlier than 56 days from the date of the notice and no later than four months from that date.**

(It is more usual for an application to do with a pitch fee review to be made by a site owner than a resident. This is because a site owner cannot charge the new amount claimed unless the resident agrees to it or the tribunal approves a change.)

- 4.5 A tribunal may accept an application outside the time limits shown above, but will only do so if they are satisfied that the applicant can show good reason for not making the application in time and also for the delay in making the application since it should have been made.

Applying for extra implied terms or to change or delete an express term or to enforce a term

- 4.6 If the resident and site owner have entered into an agreement to keep a home on the site, the resident or site owner can ask a tribunal to imply extra terms in the agreement (as set out in part 2 of schedule 1 to the Act) or to change or delete express terms in the agreement or for an order to bring into force a term.
- 4.7 You need to act quickly because a tribunal can only deal with the application if it is made within **six months** of the agreement being entered into. Or, if the written statement under section 1 of the act is given later, the application must be given within **six months** of the statement being given. The time limits in these cases are strict as the tribunal cannot extend them.
- 4.8 Neither a resident nor site owner can apply to a tribunal about these matters if the resident has taken over an existing agreement (an assignment) because they have bought a home from someone who was living on the site.

Hearings and paper decisions

Deciding whether to hold a hearing or to make a paper decision

- 5.1 The tribunal will ask both the applicant and the respondent if they want the case dealt with through a hearing, in which either side (or their representatives) can make spoken representations and give evidence to the tribunal. If either side asks for a hearing, the tribunal must hold one. The tribunal may also decide to hold a hearing (even if neither side has asked for one).
- 5.2 If there is going to be a hearing, the tribunal will give you at least 21 days' notice of it, with details on the time and place where it will be held.

Paper decisions

- 5.3 If there is not going to be a hearing, the tribunal will meet to decide the case using the paper evidence they have. The tribunal will give you at least 14 days' notice if they plan to decide on the case in this way. However, you can, at any time before the end of that period, ask the tribunal to hold a hearing instead. This may be, for example, because there is something in the papers that would benefit from a fuller discussion or which you want to challenge in more detail.

Hearings

- 5.4 If either side has asked for a hearing, or the tribunal has decided to hold one, it will normally be held close to the park home or traveller site (except in London where hearings are held at the regional office). If you do not want to represent yourself at the hearing, you can be represented by anyone you choose, whether or not they are legally qualified. If you are representing yourself and you have previously told the tribunal that you need help in reading and writing English, the staff will make arrangements to provide that help.
- 5.5 The chair of the tribunal will decide on the procedure for the hearing. They will decide who presents their side of the case first. Usually you will have the opportunity to summarise your side of the case after all the evidence has been heard.
- 5.6 At the hearing the tribunal will make sure that both sides (whether or not they are represented) are on an equal footing in terms of understanding the procedure and each other's issues. The tribunal members may also ask you questions about your case. You can ask questions of the tribunal if there is anything you are not sure about, but you must remember the tribunal cannot give you any legal advice or help to present your case.
- 5.7 It is very important at the hearing to focus on the specific matter. The tribunal will not allow you to raise matters that are not relevant to the case. They will also not usually allow you to introduce evidence which you have not told the other side about unless they agree that you can present it, or the tribunal is satisfied they can deal with it.

Hearing two or more cases together

- 5.8 Usually the tribunal will hear all multiple application and reference cases (explained above) at the same hearing. They may also decide to hear two or more separate applications together if they involve related issues on the same site or involve similar issues on two or more sites which are owned by the same person or organisation.

Hearings in public or private

- 5.9 Hearings are normally held in public. Sometimes all or part of the hearing can be held in private, but the tribunal must be satisfied there is very good reason to exclude the public.

Postponing and adjourning a hearing

- 5.10 Either side can ask the tribunal to postpone a hearing date. However, the tribunal will normally only do this if there is good reason why the person who asked for the postponement cannot come on that date and the other side would not be at a disadvantage or too inconvenienced by the postponement.
- 5.11 Either side can also ask the tribunal to adjourn (put on hold) a hearing either at the start or at any time during it. Usually the tribunal will not agree to an adjournment unless there is good reason to do so and the other side does not object. In some cases the tribunal may decide to adjourn the hearing if, for example, they think both sides need more time to consider some of the evidence or to allow time for one or both of the sides to keep to the terms of an order the tribunal may have made.

If you fail to go to the hearing

- 5.12 If you fail to go to the hearing, whether or not you have asked for it, the tribunal may hear the case without you there, using the documents and evidence they already have. This applies whether or not you asked for a postponement which was turned down, or asked for an adjournment of a hearing which has been refused.
- 5.13 If you had told the tribunal that you did not want a hearing, but they decided to hold one, you may still attend the hearing to present your case.

Inspection

- 5.14 The tribunal may want to visit the site or the home if an inspection would help them reach their decision. If the tribunal decides to do so, they must give you 14 days' notice.

Decisions and orders

Interim orders

- 6.1 In some cases the tribunal may make a decision, for example, to say one or both sides have to do something or stop doing something or pay the other side some money,

before they make their final decision on the case. This is known as an 'interim order'. An interim order includes a repairs order where the tribunal has made a finding that the home is having a negative effect on the site but can be repaired and the resident is willing to do so.

Final decisions

- 6.2 If there is a hearing, sometimes the tribunal will give their decision at the end of it. However, they will usually meet separately to make their decision on the basis of the evidence they have heard and the papers they have read.
- 6.3 The decision will be recorded in a document which will also give the reasons for it (even if they gave the decision at the end of the hearing).
- 6.4 Unless the decision says otherwise, it will apply from the date shown in the decision document (depending on any application to appeal).

Refunding fees, dismissing applications and penalty costs

Fees

- 7.1 If you are the applicant and you have paid a fee to make the application, you can ask the tribunal to order the other side to pay it back to you. The tribunal may order them to refund you all or some part of the fee that you paid to make the application. However, they do not have to and cannot order them to pay your fee if the other side would have been entitled to be exempt from the fee if they had made the application.

Dismissing an application

- 7.2 A tribunal may dismiss an application, or part of it, if the person applying for it has failed to follow a direction given by the tribunal. (For more details on directions, see above)
- 7.3 A tribunal may also dismiss an application (or part of it) if they feel the application is:
 - frivolous (unnecessary);
 - vexatious (made just to cause inconvenience); or
 - otherwise is an abuse of the process.
- 7.4 If the tribunal dismiss an application for one or more of these reasons, they must give the applicant notice and the reasons for dismissal. The applicant will have at least 14 days in which to ask for a hearing at which they can make comments against the proposed dismissal.
- 7.5 If you are the applicant and ask for a hearing, the tribunal will invite the other side to come to the hearing and the tribunal will decide whether or not to dismiss the

application on the basis of comments they receive from the people who attend (if any). If you (as the applicant) do not ask for a hearing within the time allowed by the tribunal, they may dismiss your application without further questions.

Costs

- 7.6 A tribunal will not award costs against you because you lose the case, whether you are the applicant or the respondent. Each side will have to pay their own legal (if any) and other costs.
- 7.7 However, there are certain circumstances in which a tribunal can charge penalty costs against one side in favour of the other, whether or not they have asked for this. In summary, this can happen if:
- you failed to keep to an order or direction of the tribunal;
 - the tribunal dismisses your application (as set out above); or
- 7.8 The tribunal believe that, in connection with the proceedings of the case, you acted in one or more ways
- frivolously;
 - vexatiously;
 - abusively;
 - disruptively; or
 - unreasonably.
- 7.9 The tribunal can make the applicant or respondent pay penalty costs of up to £5000. However, they may only do this if they have given you the opportunity of giving comments against making the proposed order.

Appeals and enforcement

Appeals against the tribunal decision

- 8.1 Neither side has an automatic right to appeal against a decision they do not like. If you want to appeal, you must get the tribunal's permission to do so and you must do so within 21 days of the date of the decision. It would be normal to get independent advice on the reasons you can use to appeal.
- 8.2 The tribunal will normally consider your reasons without holding a hearing.

- 8.3 They will give you the decision on the application as soon as possible (with reasons) and send a copy to the other side. If the tribunal give permission to appeal, you will then have one month to apply to the Upper Tribunal (Lands Chamber).
- 8.4 If the tribunal refuse permission to appeal, you can still apply to the Upper Tribunal to ask them to grant the permission. However, you must act quickly because you will need to make a renewed application to the Upper Tribunal within 14 days of the tribunal's decision to refuse permission.
- 8.5 You can find more details on applications to the Upper Tribunal (Lands Chamber) on the Lands Chamber page on www.justice.gov.uk.

Enforcement

- 8.6 If the tribunal make a decision in your favour and the other side fails to keep to it, you can apply to a county court to enforce the judgement in the same way that you would have been able to enforce a court order.
- 8.7 You can find out more about enforcement and where your local county court is from www.justice.gov.uk.

The court's power to transfer proceedings to the residential property tribunal

- 9.1 If a court is considering a case which they have the power to deal with, but part, or all of it falls within the tribunal's jurisdiction, the court may transfer part or all of those proceedings to the tribunal. For example, if they are considering proceedings to end an agreement, the court might refer part of the case to the tribunal to carry out a fact-finding exercise before they decide whether it is reasonable to end the agreement. However, the court does not have to transfer the proceedings and may find out the facts themselves.
- 9.2 The court may send the papers directly to the regional tribunal office, but if they do not, and you are the applicant, you will need to fill in an application form and enclose a copy of the court order transferring the proceedings to the tribunal. You do not have to pay a fee for this application.

Special rules applying to certain applications

- 10.1 The information in this fact sheet applies to all types of applications that can be made to a tribunal. However, the rules are different for two types of application, which are shown below.

Urgent applications relating to selling a home or giving one away

- 10.2 If you are a resident and have served a notice asking the site owner to approve a person you want to sell or give the home to and the site owner has not responded within the necessary 28 days or he or she has refused to give approval and you think they have done so unreasonably, you can apply to a tribunal under its 'urgency procedure' for approval of that person.
- 10.3 However, the tribunal will only allow you to apply if they are satisfied that certain conditions apply. These are:
- the person you want approval for is ready and able to move into the home;
 - if approval is given, the agreement will be transferred with as little delay as possible; and
 - there is enough evidence that the site owner has previously withheld approval of a person wanting to move into a home on the site and was unreasonable in doing so; or
 - there is enough evidence to show the site owner (or someone acting on their behalf) has put people off moving into a home on the site.
- 10.4 A chair of a tribunal sitting alone will make the initial decision as to whether the case should be dealt with under the urgency procedure on the basis of the written evidence supporting the application.
- 10.5 If the initial decision is that the application should not be dealt with under the urgency procedure, you will be told and the case will be dealt with under the usual procedure.
- 10.6 If it is decided the case should be dealt with under the urgency procedure, the tribunal must let you and the site owner know and arrange a hearing (no earlier than four days or no later than 10 days from the date of the notice). You will be invited to come to the hearing and give your comments on the application and call witnesses.
- 10.7 If either you or the site owner does not come to the hearing, the tribunal may still decide the case. While you or the site owner can ask the tribunal to adjourn the hearing, they will only do so if there is good reason and the other side would not be negatively affected or too inconvenienced by it. The tribunal can grant an adjournment for up to seven days.
- 10.8 The tribunal hearing the evidence does not have to keep to the initial decision and may decide that the case should be adjourned and set down for a further hearing arranged under the normal procedure.
- 10.9 Otherwise, the tribunal will decide whether or not to approve the person you want to sell or give the home to. They will then write to you and the site owner with the decision and the reasons for it.

Applying to end agreements because the home is having a negative effect on the site

- 10.10 If you are the site owner and want to end an agreement because the condition of the resident's home is having a negative effect on the site, you must apply to the tribunal in the first place.
- 10.11 The tribunal must hold a hearing about the application unless both sides have agreed that it is not necessary or the resident does not oppose the application.
- 10.12 The purpose of the hearing will be for the tribunal to hear evidence so they can decide if the home is having a negative effect on the site and if so whether it is reasonably possible for the resident to put the home in a condition so that it is no longer having a negative effect.
- 10.13 The tribunal may decide that the condition of the home:
- is not having a negative effect on the site, in which case they will dismiss the application and you may not apply to the court to end the agreement;
 - is having a negative effect on the site and it is not practical to carry out repairs, or the resident is not willing or able to carry out the necessary repairs, in which case the tribunal will make a final decision and you may apply to the court to end the agreement; or
 - is having a negative effect on the site, but it is practical for the resident to carry out repairs and the resident has said they are willing and able to carry out the work (and the tribunal accepts this), in which case the tribunal will make a 'repairs order' and you may not apply to the court to end the agreement.
- 10.14 The tribunal may give their decision at the end of the hearing, but in any case it will be recorded in a document, with the reasons for it. If the decision is to order that repairs are carried out, the tribunal must include the repairs order itself and say when those repairs must be completed.
- 10.15 If the tribunal makes a repairs order, they must hold a new hearing no later than seven days from the date given in the order to complete the repairs. Before that hearing, the tribunal will ask both sides to tell the tribunal whether the repairs have been carried out. The tribunal will normally inspect the home so it can form its own view on this too.
- 10.16 If both sides say that the repairs have been carried out, the tribunal will dismiss the application. If there is an issue on whether the repairs have been completed, the tribunal will deal with that at the new hearing and, after considering comments, they may either:
- make a further repairs order; or

- make a final decision that the home is having a negative effect, in which case you can apply to the court to end the agreement.

10.17 If the tribunal have made a decision allowing you to go to court for them to deal with the application, the court must decide whether it is reasonable to end the agreement and will take account of the tribunal's decision.

Arbitration agreements

- 11.1 Some agreements may say that all or certain disputes and proceedings between the parties are decided by an arbitrator (instead of a court or a tribunal). However, since 30 April 2011, this does not apply to any disputes or proceedings arising on or after that date, which must instead be referred to a tribunal under the rules set out in this fact sheet. If the agreement says that any proceedings to end the agreement are dealt with by an arbitrator, these will instead be adjudicated on by a tribunal. In these cases, the tribunal must hold a hearing to decide the matter unless both parties ask the tribunal not to or the resident tells the tribunal that they do not oppose the application.
- 11.2 If the parties enter into arbitration under the agreement instead of going to the tribunal, the decision of the arbitrator has no effect and cannot be enforced.

Appendix A

Residential property tribunal contact details

The Justice Website (www.justice.gov.uk) contains useful information on residential property tribunals including application forms, up-to-date contact details and tribunal decisions.

The following are the regional offices where you can apply and get more help and information.

London region

10 Alfred Place,
London, WC1E 7LR

Phone: 0207 446 7700

Fax: 0207 637 1250

Email: london.rap@communities.gsi.gov.uk

This office covers all the London boroughs.

Northern region

First Floor
5 New York Street
Manchester, M1 4JB

Phone: 0845 100 2614 or 0161 237 9491

Fax: 0161 237 3656

Email: northern.rap@communities.gsi.gov.uk

This office covers the following districts.

Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Stockport, Tameside, Trafford, Wigan, Knowsley, Liverpool, St Helens, Sefton, Wirral, Barnsley, Doncaster, Rotherham, Sheffield,

Gateshead, Newcastle upon Tyne, North Tyneside, South Tyneside, Sunderland, Bradford, Calderdale, Kirklees, Leeds and Wakefield.

It also covers the following authorities.

Hartlepool, Middlesbrough, Redcar and Cleveland, Darlington, Halton, Blackburn with Darwen, Blackpool, Kingston upon Hull, East Riding of Yorkshire, North-east Lincolnshire, North Lincolnshire, Stockton-on-Tees, Warrington and York.

It also covers the following counties.

Cheshire, Cumbria, Durham, Lancashire, Lincolnshire, Northumberland and North Yorkshire.

Midlands region

2nd Floor, Louisa House
92-93 Edward Street
Birmingham, B1 2RA

Phone: 0845 100 2615 or 0121 236 7837

Fax: 0121 236 9337

Email: midland.rap@communities.gsi.gov.uk

This office covers the following districts.

Birmingham, Coventry, Dudley, Sandwell, Solihull, Walsall, Wolverhampton.

It also covers the following authorities.

Derby, Leicester, Rutland, Nottingham, Herefordshire, Telford and Wrekin and Stoke on Trent.

It also covers the following counties.

Derbyshire, Leicestershire, Nottinghamshire, Shropshire, Staffordshire, Warwickshire and Worcestershire.

Eastern region

Unit 4C Quern House
Mill Court
Great Shelford
Cambridge, CB22 5LD

Phone: 0845 100 2616 or 01223 841 524

Fax: 01223 843 224

Email: eastern.rap@communities.gsi.gov.uk

This office covers the following authorities.

Bracknell Forest, West Berkshire, Reading, Slough, Windsor and Maidenhead, Wokingham, Luton, Peterborough, Milton Keynes, Southend on Sea, Thurrock.

It also covers the following counties.

Bedfordshire, Buckinghamshire, Cambridgeshire, Essex, Hertfordshire, Norfolk, Northamptonshire, Oxfordshire and Suffolk.

Southern region

1st Floor
1 Market Avenue
Chichester, PO19 1JU

Phone: 0845 100 2617 or 01243 779394

Fax: 01243 779389

Email: southern.rap@communities.gsi.gov.uk

This office covers the following authorities.

Bath and North-east Somerset, Bristol, North Somerset, South Gloucestershire, Bournemouth, Plymouth, Torbay, Poole, Swindon, Medway, Brighton and Hove, Portsmouth, Southampton and the Isle of Wight.

It also covers the following counties.

Cornwall and the Isles of Scilly, Devon, Dorset, East Sussex, Gloucestershire, Hampshire, Kent, Somerset, Surrey, West Sussex and Wiltshire.

Appendix B

Types of applications that can be made to a residential property tribunal

| Type of application | Who can make the application? | Is there a fee? | Is there a time limit to apply? |
|---|--------------------------------|-----------------|---------------------------------|
| If the site owner fails to provide a written statement | The resident | No | No |
| To add extra terms in an agreement | The resident or the site owner | Yes | Yes |
| To change or delete express terms in an agreement or for an order to enforce terms | The resident or the site owner | Yes | Yes |
| Application relating to any question under the act or the agreement under section 4 of the act | The resident or the site owner | Yes | No |
| For authorisation to end an agreement as it has been broken or because it is not your main home (See note one below.) | The site owner | Yes | No |
| Relating to your home having a negative effect on the site | The site owner | Yes | No |

| | | | |
|--|--|-----|-----|
| | | | |
| To approve a person to whom to sell or give your home to | The resident | No | Yes |
| To move homes | The site owner | Yes | No |
| To return a home which has been moved | The resident | No | No |
| A pitch fee review | The site owner or the resident ¹ (see note 2) | No | Yes |
| For authorisation to make improvements | The site owner | No | No |
| To recognise a qualifying residents' association | The resident(s) | Yes | No |

Note 1: The tribunal can only deal with termination cases (other than the first stage for proceedings for reasons of its negative effect on the site) if the agreement contains a binding condition that termination will be dealt with by an arbitrator. In all other cases, proceeding must be taken in the county court.

Note 2: A resident can only apply to the tribunal if the site owner has served a notice of the review. However, in any case the review cannot be put into practice unless the resident agrees to it or a tribunal makes a decision to do so.