

Application under regulation 10 of the Mobile Homes (Site Rules) (England) Regulations 2014 ('the 2014 regulations') with regard to the proposed making, varying or deletion of a site rule or rules.

Section 2C of the Mobile Homes Act 1983 (as amended)

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

This is the correct form to use if you are **either**

(a) an occupier of a park home on a protected site **or**

(b) a qualified residents' association

and have received a "consultation response document" from the site owner which states that the owner has decided to implement a proposal to make, vary, or delete a site rule or rules

and you wish to appeal against that decision.

A fee is payable for this application. (See Annex 1 for fee and fee remissions).

Please send your completed application form and fee (if applicable), together with a copy of your agreement (if any) and the consultation response document, to the appropriate regional Tribunal office. (See Annex 2 to this form for regional office details). If and when further evidence is needed you will be asked to send it separately.

If you have any questions about how to fill in this form or the procedures the Tribunal will use, please call the regional office.

Note: A site rule is a rule made by the site owner in accordance with the prescribed procedure (as set out in the 2014 regulations) which (a) relates to the management of the site or (b) is necessary (i) to ensure that acceptable standards are maintained on the site, which will be of general benefit to occupiers; or (ii) to promote and maintain community cohesion on the site.

1. DETAILS OF APPLICANT

Name:

Address:

Address for correspondence (*if different from above*):

Telephone:

Day:

Evening:

Mobile:

Email
address:

Fax:

Name and address and details of agent (if relevant) *Where details of an agent have been given, all correspondence and communications will be with them until the Tribunal is notified that they are no longer acting.*

2. DETAILS OF SITE

Address of site:

3. DETAILS OF SITE OWNER

Name:

Address for correspondence (*if different from above*):

Telephone:

Day:

Evening:

Mobile:

Email
address:

Fax:

Name and address and details of agent (if relevant).

4. DETAILS OF AGREEMENT (IF ANY) AND CONSULTATION RESPONSE DOCUMENT

(a) Date of Agreement:

(b) Parties to Agreement:

(c) Date on which consultation response document received:

Please enclose:

(1) A copy of the consultation response document received

(2) A copy of any correspondence that you have sent or received in connection with the site owner's obligation to give you a consultation response document.

5. DETAILS OF GROUNDS ON WHICH YOU WISH TO APPEAL

Please tick the appropriate box indicating the ground(s) on which you wish to appeal:

(a) a site rule makes provision in relation to any of the prescribed matters set out in Schedule 5 to the 2014 regulations;

(b) the owner has not complied with one of the prescribed procedural requirements imposed by regulations 7 to 9 of the 2014 regulations;

(c) the owner's decision was unreasonable having regard, in particular to –

(i) the proposal, or the representations received in response to the consultation;

(ii) the size, layout, character, services or amenities of the site; or

(iii) the terms of any planning permission or conditions of the site licence

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

If the Tribunal thinks it is appropriate, and all the parties and others notified of their right to attend a hearing consent, it is 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'). Consent will be deemed to have been given if the Tribunal gives 28 days notice of its intention to make a paper determination and no person objects within that period

Please let us know if you would be content with a paper determination.

Yes

No

Note: Even if you have asked for a paper determination the Tribunal may decide that a hearing is necessary. Please complete the remainder of this form on the assumption that a hearing will be held

7. 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:

8. VENUE REQUIREMENTS

Please provide details of any special requirements you or anyone who will be coming with you may have (e.g. the use of a wheelchair and/or the presence of a translator):

Applications handled by the London regional office are usually heard in Alfred Place, which is fully wheelchair accessible. Elsewhere, hearings are held in local venues which are not all so accessible and the case officers will find it useful to know if you or anyone you want to come to the hearing with you has any special requirements of this kind.

9. CHECKLIST

Please check that :

- You have completed this form fully. The Tribunal will not process your application until this has been done and it has both a copy of the required documents and the fee (if applicable).
- A copy of the required documents is enclosed.
- A crossed cheque or postal order for the fee (if applicable) is enclosed. Please put your name and address on the back of any cheque you send.

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.

Fees should be paid either by crossed cheque made payable to, or a postal order drawn in favour of HM Courts and Tribunal Service.

10. STATEMENT OF TRUTH

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

Signed: _____ Dated: _____

ANNEX 1: Fees payable for applications to the tribunal in respect of applications under (1) the Mobile Homes Act 1983 (“the 1983 Act”) (2) the Mobile Homes (Selling and Gifting) (England) Regulations 2013 and (3) the Mobile Homes (Site Rules) (England) Regulations 2014.

1. A fee of **£155** is payable for an application made to a tribunal under paragraph 28(1)(h) of Chapter 2, or paragraph 26(1)(h) of Chapter 4, of part 1 of Schedule 1 to the 1983 Act (qualifying residents’ association to be acknowledged by owner of protected site).
2. A fee of **£155** is payable for an application made to a tribunal made under regulation 10 or 17 of the Mobile Homes (Site Rules)(England) Regulations 2014 (site rules and deposit appeals).
3. A fee of **£155** is payable for an application made to a tribunal made under paragraph 7B(2) or 8B(2) of Chapter 2 of Part 1 of Schedule 1 to the 1983 Act on the grounds prescribed by regulation 7(1) or (2) of the Mobile Homes (Selling and Gifting) (England) Regulations 2013 as applicable (owner’s application for a refusal order).
4. A fee is payable for an application made to a tribunal under the following provisions of the 1983 Act.
 - (a) section 2(2) (terms concerning matters mentioned in Part 2 of Schedule 1 to the 1983 Act to be implied in agreement);
 - (b) section 2(3) (variation or deletion of express terms in agreement);
 - (c) section 4 (determination of any question arising under the 1983 Act or any agreement to which the 1983 Act applies);
 - (d) paragraphs 4, 5 or 5A2 of Chapter 2, or paragraphs 4, 5 or 6(1) of Chapter 4, of part 1 of Schedule 1 to the 1983 Act (termination by owner);
 - (e) paragraph 10(1) of Chapter 2, or paragraph 8(1) of Chapter 4, of part 1 of Schedule 1 to the 1983 Act (site owner application as to re-siting of mobile home).
5. The fee payable for each application in 4 above is detailed in the table below;

Number of references	Application Fee
where the application contains one reference	£155
where the application contains two references	£205
where the application contains three or four references	£410
where the application contains five or more references	£515

6. For the purposes of 5 above the number of references contained in an application is the number of pitches or mobile homes to which the application relates.

Transferred Applications

7. No fee is payable to a tribunal , in any case, in relation to an application made under the Mobile Homes Act 1983 that has been transferred from a court to a tribunal.

Fee Remission

8. If you believe you may qualify for a fee remission to the First-tier Tribunal (Residential Property), the combined booklet and application form “EX160A Court and Tribunal Fees - Do I have to pay them?” gives all the information you need. You can get a copy online at hmctsfmfinder.justice.gov.uk. The form must be included with your appeal application.
9. The fee remission form will not be copied to other parties in the proceedings.

ANNEX 2: Addresses of Tribunal Regional Offices

NORTHERN REGION

First Floor, 5 New York Street,
Manchester M1 4JB

Telephone: 0845 100 2614 or 0161 237 9491
Fax: 0161 237 3656

This office covers the following Metropolitan districts: Barnsley, Bolton, Bradford, Bury, Calderdale, Doncaster, Gateshead, Kirklees, Knowsley, Leeds, Liverpool, Manchester, Newcastle-upon-Tyne, Oldham, Rochdale, Rotherham, St. Helens, Salford, Sefton, Sheffield, Stockport, Sunderland, Tameside, Trafford, Tyneside (North & South), Wakefield, Wigan and Wirral.

It also covers the following unitary authorities: Hartlepool, Middlesbrough, Redcar and Cleveland, Darlington, Halton, Blackburn with Darwen, Blackpool, Cheshire East, Cheshire West and Chester, Kingston-upon-Hull, East Riding of Yorkshire, Northeast Lincolnshire, North Lincolnshire, Stockton-on-Tees, Warrington and York.

It also covers the following Counties: Cumbria, Durham, Lancashire, Lincolnshire, Northumberland and North Yorkshire

MIDLAND REGION

3rd Floor, Temple Court, 35 Bull Street,
Birmingham B4 6AF

Telephone: 0845 100 2615 or 0121 681 3084
Fax: 0121 681 3056

This office covers the following Metropolitan districts: Birmingham, Coventry, Dudley, Sandwell, Solihull, Walsall and Wolverhampton.

It also covers the following unitary 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 C4, Quern House, Mill Court
Great Shelford, Cambridge CB22 5LD

Telephone: 0845 100 2616 or 0122 384 1524
Fax: 0122 384 3224

This office covers the following unitary authorities: Bracknell Forest, West Berkshire, Reading, Slough, Windsor and Maidenhead, Wokingham, Luton, Peterborough, Milton Keynes, Southend-on-Sea and Thurrock.

It also covers the following Counties: Bedfordshire, Berkshire, Buckinghamshire, Cambridgeshire, Essex, Hertfordshire, Norfolk, Northamptonshire, Oxfordshire and Suffolk.

SOUTHERN REGION

Magistrates Court and Tribunal Centre
Ground Floor
6 Market Avenue, Chichester,
West Sussex PO19 1YE

Telephone: 0845 100 2617 or 0124 377 9394
Fax: 0870 7395 900

This office covers the following unitary authorities: Bath and Northeast 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.

LONDON REGION

10 Alfred Place,
London WC1E 7LR

Telephone: 020 7446 7700
Fax: 020 7637 1250

This office covers all the London boroughs.

