

Status: Point in time view as at 01/10/2014.

Changes to legislation: There are currently no known outstanding effects for the Mobile Homes (Wales) Act 2013, Cross Heading: Re-siting of mobile home. (See end of Document for details)

SCHEDULE 2

TERMS OF MOBILE HOME AGREEMENTS

PART 1

TERMS IMPLIED BY ACT

CHAPTER 2

AGREEMENTS RELATING TO PITCHES EXCEPT THOSE ON LOCAL AUTHORITY GYPSY AND TRAVELLER SITES

Re-siting of mobile home

- 14 (1) The owner is entitled to require that the occupier's right to station the mobile home is exercisable for any period in relation to another pitch forming part of the protected site ("the other pitch") if—
- (a) on the application of the owner, a tribunal is satisfied that the other pitch is broadly comparable to the occupier's original pitch and that it is reasonable for the mobile home to be stationed on the other pitch for that period, or
 - (b) the owner needs to carry out essential repair or emergency works that can only be carried out if the mobile home is moved to the other pitch for that period, and either—
 - (i) on an application by the owner a tribunal is satisfied of that need and that the other pitch is broadly comparable to the occupier's original pitch, or
 - (ii) the urgency of the need means that it is impracticable to make an application before the mobile home is re-sited.
- (2) In a case where sub-paragraph (ii) of paragraph (b) of sub-paragraph (1) applies, the owner must immediately make an application to a tribunal and if the tribunal is not satisfied as mentioned in sub-paragraph (i) of that paragraph the owner must immediately secure that the mobile home is returned to the original pitch.
- (3) If the owner requires the occupier to station the mobile home on the other pitch so that the owner can replace, or carry out repairs to, the base on which the mobile home is stationed, the owner must, if the occupier requires the owner to do so or a tribunal on the application of the occupier orders the owner to do so, secure that the mobile home is returned to the original pitch on the completion of the replacement or repairs.
- (4) The owner must pay all the costs and expenses incurred by the occupier in connection with the mobile home being moved to and from the other pitch.
- (5) In this paragraph and paragraph 16 "essential repair or emergency works" means—
- (a) repairs to the base on which the mobile home is stationed,
 - (b) works or repairs needed to comply with any relevant legal requirements, or
 - (c) works or repairs in connection with restoration following flood, landslide or other natural disaster.

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Commencement Information

II Sch. 2 para. 14 in force at 1.10.2014 by S.I. 2014/11, art. 3(1)(d) (with art. 4)

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