
EXPLANATORY NOTE

(This note is not part of the Rules)

Part 1 of the Tribunals, Courts and Enforcement Act 2007 (c. 15) established a new tribunal structure comprising a First-tier Tribunal and an Upper Tribunal. Functions of existing tribunals have been transferred into these Tribunals and assigned to chambers within the new tribunals. The First-tier Tribunal (Property Chamber) Rules 2013 will govern the practice and procedure to be followed in the First-tier Tribunal in cases which may be broadly described as relating to residential and leasehold property, housing conditions, agricultural land and drainage and land registration. Jurisdiction over such cases has been conferred on the tribunal by the Transfer of Tribunal Functions Order 2013 (S.I. 2013/1036) as from 1st July 2013. They replace the rules and procedure regulations which previously applied, in relation to England, in the following tribunals—

- 1) Rent Assessment Committees
- 2) Rent Tribunals
- 3) Residential Property Tribunals
- 4) Leasehold Valuation Tribunals
- 5) Agricultural Land Tribunals.

They also replace the procedure rules which previously applied to the Adjudicator to Her Majesty's Land Registry.

Part 1 contains provisions for interpreting and applying the rules and sets out the overriding objective of the Rules.

Part 2 contains general powers and provisions including the Tribunal's case management powers, the giving of directions, the power to strike out a party's case, the provision of documents and rules about representatives, evidence, submissions, witnesses, costs and lead cases. Where jurisdiction has been conferred on both the First-tier Tribunal and the Upper Tribunal, rule 25 governs the process by which a direction may be made to transfer a case to the Upper Tribunal.

Part 3 contains provisions relating to starting proceedings and responses.

Part 4 contains provisions relating to hearings up to the making and notification of Tribunal decisions.

Part 5 contains some rules which are special to particular jurisdictions. Rules 37 to 40 are special to land registration cases, rules 41 to 43 are special to agricultural land and drainage cases relating to succession and rules 44 to 48 are special to certain residential property cases.

Part 6 deals with correcting, setting aside, reviewing and appealing against Tribunal decisions.

Changes to legislation:

There are currently no known outstanding effects for the The Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013.