

*Status: Point in time view as at 01/10/2014.*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: Owner's name and address. (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

##### *Owner's name and address*

- 24 (1) The owner must by notice inform the occupier and any qualifying residents' association of the address in England or Wales at which notices (including notices of proceedings) may be served on the owner by the occupier or a qualifying residents' association.
- (2) If the owner fails to comply with sub-paragraph (1), then (subject to sub-paragraph (5)) any amount otherwise due from the occupier to the owner in respect of the pitch fee is to be treated for all purposes as not being due from the occupier to the owner at any time before the owner complies with sub-paragraph (1).
- (3) Where in accordance with the agreement the owner gives any written notice to the occupier or a qualifying residents' association, the notice must contain the following information—
- (a) the name and address of the owner, and
  - (b) if that address is not in England or Wales, an address in England or Wales at which notices (including notices of proceedings) may be served on the owner.
- (4) Subject to sub-paragraph (5), where—
- (a) the occupier or a qualifying residents' association receives such a notice, but
  - (b) it does not contain the information required to be contained in it by virtue of sub-paragraph (3),
- the notice is to be treated as not having been given until such time as the owner gives the information to the occupier or qualifying residents' association in respect of the notice.
- (5) An amount or notice within sub-paragraph (2) or (4) is not to be treated as mentioned in relation to any time when, by virtue of an order of any court or tribunal, there is in force an appointment of a receiver or manager whose functions include receiving from the occupier the pitch fee, payments for services supplied or other charges.
- (6) Nothing in sub-paragraphs (3) to (5) applies to any notice containing a demand to which paragraph 25(1) applies.

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**Commencement Information**

**I1** Sch. 2 para. 24 in force at 1.10.2014 by S.I. 2014/11, art. 3(1)(d) (with art. 4)

- 25 (1) Where the owner makes any demand for payment by the occupier of the pitch fee, or in respect of services supplied or other charges, the demand must contain—
- (a) the name and address of the owner, and
  - (b) if that address is not in England or Wales, an address in England or Wales at which notices (including notices of proceedings) may be served on the owner.
- (2) Subject to sub-paragraph (3), where—
- (a) the occupier receives such a demand, but
  - (b) it does not contain the information required to be contained in it by virtue of sub-paragraph (1),
- the amount demanded is to be treated for all purposes as not being due from the occupier to the owner at any time before the owner gives that information to the occupier in respect of the demand.
- (3) The amount demanded is not to be treated as not being due in relation to any time when, by virtue of an order of any court or tribunal, there is in force an appointment of a receiver or manager whose functions include receiving from the occupier the pitch fee, payments for services supplied or other charges.

**Commencement Information**

**I2** Sch. 2 para. 25 in force at 1.10.2014 by S.I. 2014/11, art. 3(1)(d) (with art. 4)

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