

*Status: Point in time view as at 01/10/2014.*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

##### *Termination*

- 4 The occupier is entitled to terminate the agreement by notice in writing given to the owner not less than 4 weeks before the date on which it is to take effect.

##### **Commencement Information**

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

- 5 The owner is entitled to terminate the agreement immediately if, on the application of the owner, the appropriate judicial body—
- (a) is satisfied that the occupier has breached a term of the agreement and, after service of a notice to remedy the breach, has not complied with the notice within a reasonable time, and
  - (b) considers it reasonable for the agreement to be terminated.

##### **Commencement Information**

**I2** Sch. 2 para. 5 in force at 1.10.2014 by S.I. 2014/11, art. 3(1)(d) (with art. 4)

- 6 The owner is entitled to terminate the agreement immediately if, on the application of the owner, the appropriate judicial body—
- (a) is satisfied that the occupier is not occupying the mobile home as the occupier's only or main residence, and
  - (b) considers it reasonable for the agreement to be terminated.

##### **Commencement Information**

**I3** Sch. 2 para. 6 in force at 1.10.2014 by S.I. 2014/11, art. 3(1)(d) (with art. 4)

- 7 (1) The owner is entitled to terminate the agreement immediately if—
- (a) on the application of the owner, a tribunal has determined that, having regard to its condition, the mobile home is having a detrimental effect on the amenity of the site, and

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- (b) then, on the application of the owner, the appropriate judicial body, having regard to the tribunal's determination and to any other circumstances, considers it reasonable for the agreement to be terminated.
- (2) Sub-paragraphs (3) and (4) apply if, on an application to the tribunal under sub-paragraph (1)(a)—
- (a) the tribunal considers that, having regard to the present condition of the mobile home, it is having a detrimental effect on the amenity of the site, but
  - (b) it also considers that it would be reasonably practicable for particular repairs to be carried out on the mobile home that would result in the mobile home not having that detrimental effect, and
  - (c) the occupier indicates to the tribunal that the occupier intends to carry out those repairs.
- (3) In such a case, the tribunal may make an interim order—
- (a) specifying the repairs that must be carried out and the time within which they must be carried out, and
  - (b) adjourning the proceedings on the application for such period specified in the interim order as the tribunal considers reasonable to enable the repairs to be carried out.
- (4) If the tribunal makes an interim order under sub-paragraph (3), it must not make a determination under sub-paragraph (1)(a) unless it is satisfied that the specified period has expired without the repairs having been carried out.

**Commencement Information**

**14** Sch. 2 para. 7 in force at 1.10.2014 by S.I. 2014/11, art. 3(1)(d) (with art. 4)

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