WELSH STATUTORY INSTRUMENTS

# 2012 No. 531 (W.83)

# HOUSING, WALES

The Residential Property Tribunal Procedures and Fees (Wales) Regulations 2012

| Made                     | - | - | - | - |
|--------------------------|---|---|---|---|
| Laid before the National |   |   |   |   |
| Assembly for Wales       |   |   |   |   |
|                          |   |   |   |   |

23 February 2012
28 February 2012
21 March 2012

Coming into force

THE RESIDENTIAL PROPERTY TRIBUNAL PROCEDURES AND FEES (WALES) REGULATIONS 2012

#### PART 1

#### GENERAL

- 1. Title, commencement and application
- 2. Interpretation

## PART 2

## RESIDENTIAL PROPERTY TRIBUNAL PROCEDURES

- 3. The overriding objective and parties' obligation to co-operate with the tribunal
- 4. Request for extension of time to make an application
- 5. Limit on the number of pitches, mobile homes or references on a single application under the 1983 Act
- 6. Particulars of application
- 7. Applications following transfer of application made under the 1983 Act from the court to a tribunal
- 8. Acknowledgement and notification of application by tribunal
- 9. Reply by respondent
- 10. Urgent IMO authorisation applications
- 11. Urgent applications under the 1983 Act relating to sale or gift of a mobile home
- 12. Applications under the 1983 Act relating to detrimental effect of mobile homes on the amenity of the site
- 13. Request by a person to be treated as an applicant or respondent

- 14. Determining applications together
- 15. Payment of fees
- 16. Representatives
- 17. Supply of information and documents to interested persons
- 18. Supply of documents by tribunal
- 19. Supply of information and documents by parties
- 20. Failure to comply with an order to supply information and documents
- 21. Determination without a hearing
- 22. Interim orders
- 23. Directions
- 24. Inspection of premises and neighbourhood
- 25. Expert evidence
- 26. Case management conference
- 27. Other case management powers
- 28. Notice of hearing
- 29. Postponement of hearing
- 30. Hearing
- 31. Hearing in public or private
- 32. Persons entitled to be present at a hearing held in private
- 33. Failure of a party to appear at a hearing
- 34. Decisions of a tribunal in determining applications
- 35. Determination of costs
- 36. Withdrawal of application
- 37. Enforcement
- 38. Permission to appeal
- 39. Assistance to participants
- 40. Requirements for supply of notices and documents
- 41. Time
- 42. Frivolous and vexatious etc applications
- 43. Irregularities
- 44. Signature of documents

#### PART 3

#### RESIDENTIAL PROPERTY TRIBUNAL FEES

- 45. Fees for applications made under the 2004 Act
- 46. Fees for applications made under the 1985 Act
- 47. Fees for applications made under the 1983 Act
- 48. Payment of fees
- 49. Liability to pay fee and waiver of fees
- 50. Reimbursement of fees
- 51. Revocation
  - Signature

#### SCHEDULE Additional details with regard to certain Applications — Applications made under the 2004 Act

Applications relating to improvement notices

1. (1) This paragraph applies to an application under paragraph 10(1)...

- 2. (1) This paragraph applies to an application under paragraph 10...
- 3. (1) This paragraph applies to an application under paragraph 13(1)...
- 4. (1) This paragraph applies to an application under—

#### Applications relating to prohibition orders

- 5. (1) This paragraph applies to an application under section 22(9)...
- 6. (1) This paragraph applies to an application under section 34(2)...
- 7. (1) This paragraph applies to an application under paragraph 7(1)...
- 8. (1) This paragraph applies to an application under paragraph 9...

#### Applications relating to emergency remedial action

- 9. (1) This paragraph applies to an application under section 45(1)...
- 10. (1) This paragraph applies to an application under section 45(2)...
- 11. (1) This paragraph applies to an application under—

#### Applications relating to HMO licensing

- 12. (1) This paragraph applies to an application under section 62(7)...
- 13. (1) This paragraph applies to an application under section 73(5)...
- 14. (1) This paragraph applies to an application under section 255(9)...
- 15. (1) This paragraph applies to an application under section 256(4)...
- 16. (1) This paragraph applies to an application under paragraph 31(1)...
- 17. (1) This paragraph applies to an application under paragraph 32(1)...

#### Applications relating to selective licensing of other residential accommodation

- 18. (1) This paragraph applies to an application under section 86(7)...
- 19. (1) This paragraph applies to an application under section 96(5)...
- 20. (1) This paragraph applies to an application under paragraph 31...
- 21. (1) This paragraph applies to an application under paragraph 32(1)...

#### Applications relating to interim and final management orders

- 22. (1) This paragraph applies to an application under section 102(4)...
- 23. (1) This paragraph applies to an application under section 102(7)...
- 24. (1) This paragraph applies to an application under section 105(10)...
- 25. (1) This paragraph applies to an application under section 110(7)...
- 26. (1) This paragraph applies to an application under section 114(7)...
- 27. (1) This paragraph applies to an application under section 120(1)...
- 28. (1) This paragraph applies to an application under section 126(4)...
- 29. (1) This paragraph applies to an application under section 130(9)...
- 30. (1) This paragraph applies to an application under paragraph 24...
- 31. (1) This paragraph applies to an application under paragraph 28...
- 32. (1) This paragraph applies to an application under paragraph 32(2)...

#### Applications in relation to empty dwelling management orders

- 33. (1) This paragraph applies to an application under section 133(1)...
- 34. (1) This paragraph applies to an application under section 138(1)...
- 35. (1) This paragraph applies to an application under paragraph 1(7)...
- 36. (1) This paragraph applies to an application under paragraph 2(3)
- (d)...
- 37. (1) This paragraph applies to an application under paragraph 5(7)...
- 38. (1) This paragraph applies to an application under paragraph 9(8)...

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- 39. (1) This paragraph applies to an application under paragraph 14(1)...
- 40. (1) This paragraph applies to an application under paragraph 26(1)...
- 41. (1) This paragraph applies to an application under paragraph 30...
- 42. (1) This paragraph applies to an application under paragraph 34(2)...

#### Applications in relation to overcrowding notices

- 43. (1) This paragraph applies to an application under section 143(1)...
- 44. (1) This paragraph applies to an application under section 144(2)...

## — Applications made under the 1985 Act

#### Applications relating to demolition orders

- 45. (1) This paragraph applies to an application under section 269(1)...
- 46. (1) This paragraph applies to an application under section 272(1)...
- 47. (1) This paragraph applies to an application under section 272(2)
  - (b)...
- 48. (1) This paragraph applies to an application under section 317(1)...

Applications relating to work on unfit premises

# 49. (1) This paragraph applies to an application under section 318(1)... — Applications made under the 1983 Act

Applications relating to failure to give a written statement

50. (1) This paragraph applies to an application under section 1(6)...

Applications relating to additional implied terms or variation or deletion of implied terms

- 51. (1) This paragraph applies to an application under section 2(2)...
- 52. (1) This paragraph applies to an application under section 2(3)(a)...

Applications relating to any question under the 1983 Act

53. (1) This paragraph applies to an application under section 4...

Applications relating to detrimental effect of mobile homes on the amenity of the site

54. (1) This paragraph applies to an application under paragraph 5A(2) (a)...

Applications relating to termination by the site owner

55. (1) This paragraph applies to an application under paragraph 4,...

Applications relating to approval of person on sale or gift of mobile homes

56. (1) This paragraph applies to an application under paragraph 8(1E)...

Applications relating to re-siting of mobile homes

57. (1) This paragraph applies to an application under paragraph 10(1)...

Applications relating to the return of re-sited mobile homes

58. (1) This paragraph applies to an application under paragraph 10(2)...

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#### Applications relating to the pitch fee

59. (1) This paragraph applies to an application under paragraphs 16(b),...

Applications relating to improvements to be taken into account in the pitch fee

60. (1) This paragraph applies to an application under paragraph 18(1) (a)(iii)...

Applications relating to qualifying residents' associations

61. (1) This paragraph applies to an application under paragraph 28(1)
 (h)...
 Explanatory Note