
WELSH STATUTORY INSTRUMENTS

2012 No. 531

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

PART 2

RESIDENTIAL PROPERTY TRIBUNAL PROCEDURES

Applications under the 1983 Act relating to detrimental effect of mobile homes on the amenity of the site

12.—(1) This regulation applies where a site owner applies for a determination by a tribunal under paragraph 5A(2)(a) of Chapter 2 of Part 1 of Schedule 1 to the 1983 Act that, having regard to its condition, the mobile home is having a detrimental effect on the amenity of the site.

(2) Where, in the course of a hearing, the tribunal considers that the mobile home is having a detrimental effect on the amenity of the site, but that if certain repairs to the mobile home were carried out, the mobile home would cease to have such a detrimental effect, it must—

- (a) inform the site owner and the occupier of the repairs which the tribunal considers should be carried out;
- (b) invite both the occupier of the mobile home and the site owner to indicate in relation to those repairs—
 - (i) the time needed to carry them out; and
 - (ii) the cost of carrying them out; and
- (c) invite the occupier of the mobile home to indicate whether or not the occupier would be willing to carry out those repairs.

(3) The tribunal, having regard to any indications given under paragraph (2)(b) and (c) must either—

- (a) make a determination under paragraph 5A(2)(a) of Chapter 2 of Part 1 of Schedule 1 to the 1983 Act; or
- (b) where paragraph 5A(4) of Chapter 2 of Part 1 of that Schedule applies, make an interim order requiring the occupier of the mobile home to carry out such repairs within such time as the tribunal considers reasonable.

(4) Where the tribunal makes an interim order under paragraph (3)(b), it must adjourn the hearing and set the date of a new hearing, which must be no later than 7 days from the date stipulated in the order as the date by which the repairs must be carried out.

(5) When setting a new hearing date under paragraph (4), the tribunal must—

- (a) give the parties not less than 14 days' notice of the hearing date; and
- (b) invite both the site owner and the occupier to indicate, no later than 4 days before the new hearing date, whether (in their opinion) the repairs described in the order have been completed.

- (6) At the new hearing—
- (a) if the tribunal has received notification from both the occupier of the mobile home and the site owner that the repairs ordered under paragraph (3)(b) have been completed, the tribunal must dismiss the application;
 - (b) if the tribunal has not received such notification it must invite any party who is present to make any further representations as to the extent of repairs left to be carried out and the time needed to carry them out; and
 - (c) having considered any such representations, it must either make a further interim order under paragraph (3)(b) of this regulation or make a determination under paragraph 5A(2)(a) of Chapter 2 of Part 1 of Schedule 1 to the 1983 Act.