
STATUTORY INSTRUMENTS

2013 No. 1169

**The Tribunal Procedure (First-tier
Tribunal) (Property Chamber) Rules 2013**

PART 5

Special procedures

CHAPTER 3

Residential property cases: urgent cases, interim orders, etc

Urgent sale or gift of a mobile home applications

- 45.**—(1) This rule applies when an applicant requests that the Tribunal urgently—
- (a) consider an application under paragraph 8(1E) (sale of mobile home) of Chapter 2 of Part 1 of Schedule 1 to the 1983 Act for the purposes of paragraph 8(1) or 9(1) (sale or gift of mobile home) of that Chapter; or
 - (b) determine whether it was reasonable for the owner not to approve a person for the purposes of paragraph 8(1) or 9(1) of Chapter 2 of Part 1 of Schedule 1 to the 1983 Act.
- (2) If the Tribunal is satisfied, on the basis of information accompanying the application, that the exceptional circumstances mentioned in paragraph (3) exist it must follow the procedure set out in rule 46.
- (3) The exceptional circumstances are that—
- (a) the site owner either—
 - (i) has not responded to the notice served on the site owner to approve a person under paragraph 8(1A) of Chapter 2 of Part 1 of Schedule 1 to the 1983 Act for the purposes of paragraph 8(1) or 9(1) of that Chapter; or
 - (ii) did not give approval for the purposes of paragraph 8(1) or 9(1) of Chapter 2 of Part 1 of Schedule 1 to the 1983 Act and the applicant considers that the site owner's refusal was unreasonable;
 - (b) the person whom the applicant has asked the site owner to approve is ready, willing and able to become the occupier of the mobile home;
 - (c) the Tribunal is satisfied that, subject to approval being given by the site owner, the purchase or gift of the mobile home and its assignment to that person will be completed with minimum delay; and
 - (d) the applicant has provided evidence indicating that—
 - (i) the site owner has previously unreasonably withheld approval under paragraph 8 or 9 Chapter 2 of Part 1 of Schedule 1 to the 1983 Act in respect of a mobile home on a protected site belonging to that site owner; or

- (ii) a person has previously declined to proceed with the purchase or gift of a mobile home on the protected site on which the mobile home is situated as a result of the actions or words of the site owner.