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STATUTORY INSTRUMENTS

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**2013 No. 1179**

**The First-tier Tribunal (Property Chamber) Fees Order 2013**

**Citation, commencement, extent, and application.**

1. This Order may be cited as the First-tier Tribunal (Property Chamber) Fees Order 2013 and comes into force on 1st July 2013.

2. This Order extends to England and applies to proceedings in the Tribunal.

**Definitions**

3. In this Order—

“lead case” means a case which is directed to be a lead case under rule 23 (lead cases) of the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013(1);

“related case” means a case which is directed to be a related case under that rule; and

“Tribunal” means the Property Chamber of the First-tier Tribunal.

**Fees payable**

4.—(1) Proceedings where fees are payable in accordance with the provisions of this Order are listed in column 1 of Schedule 1 to this Order.

(2) The fee due is set out in column 2 of that Schedule.

(3) Any fee payable for an application under fees 1 to 5 is due at the same time as the application is made.

(4) Any fee payable under fee 6 is due within 14 days of an applicant receiving notice of the hearing date under rule 32 of the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013.

**Fees: transferred proceedings**

5. Where an issue in proceedings in court has been transferred to the Tribunal and fee 4 or 5 is due, the fee payable shall be the fee due less the total amount of any fees previously paid by the applicant to the court in respect of the court proceedings.

**Fees: split hearings**

6.—(1) Paragraph (2) applies where the Tribunal has directed that an issue in a related case is to be determined at the hearing of a lead case and the remaining issues are to be determined at a separate hearing.

(2) The fee payable in respect of the hearing of the remaining issues shall be the fee payable under Schedule 1 to this Order less the amount of any fee paid by the applicant in accordance with article 7.

**Fees: lead cases**

7. A hearing fee for a lead case shall be payable in equal proportions by—
- (a) the applicant in the lead case;
  - (b) an applicant in a related case; and
  - (c) an applicant whose application is heard with the lead case.

**Fees: apportionment of liability for fees in cases involving more than one applicant**

- 8.—(1) This article applies where a fee is payable under fee 4, 5 or 6.
- (2) Subject to paragraph (3) and article 9 (remissions), any fee payable shall be payable in equal proportions by the applicants.
- (3) Where proceedings are brought by a tenant or landlord of premises and the tenant is more than one person or the landlord is more than one person, the tenant shall be treated as one person and the landlord shall be treated as one person for the purposes of paragraph (2).

**Remissions**

9. Schedule 2, which provides for remissions, has effect.

Signed by the authority of the Lord Chancellor

21st May 2013

*Helen Grant*  
Parliamentary Under Secretary of State  
Ministry of Justice

We consent,

22nd May 2013

*Mark Lancaster*  
*Robert Goodwill*  
Two of the Lords Commissioners of Her  
Majesty's Treasury