

Application for permission to appeal against a decision of the First-tier Tribunal (Property Chamber), or a Leasehold Valuation or Residential Property Tribunal

Important! Please read the attached guidance notes before completing this form.

This appeal relates to:

- Leasehold Enfranchisement
- Service or Administration Charges
- Rent
- Other Landlord and Tenant issues (eg. right to manage, forfeiture etc.)
- Housing Standards (eg. HMO licence, improvement notice etc.)
- Land Registration
- Other

Applicant's details

Title

Full name

Address

Postcode

Phone no.

Fax no.

Email

Do you wish to receive correspondence about your case from the tribunal by email?

Yes

No

The applicant is the:

Freeholder

Leaseholder/tenant

Landlord

Intermediate Landlord

Local Housing Authority

Other

Applicant's solicitor or other representative

Name

Address

Postcode

Phone no.

Fax no.

Email

Do you wish to receive correspondence about your case from the tribunal by email?

Yes

No

Respondent

Name

Address

Postcode

Phone no.

Fax no.

Email

Respondent's solicitor or other representative

Name

Address

Postcode

Phone no.

Fax no.

Email

Property

Address

Postcode

Type of property

The Tribunal's decision I would like permission to appeal is

Name of Tribunal

Tribunal's case number

Date of Tribunal's main decision

Date Tribunal's decision refusing permission to appeal

Grounds of appeal

Please attach a document explaining your grounds of appeal.

Determination of this application

Do you want to have an oral hearing of your permission to appeal at the Upper Tribunal?

Yes, please explain why

No

Please note that the Tribunal will not necessarily grant your request for an oral hearing at this stage. Most applications for permission to appeal are decided by the judge without a hearing.

Type of procedure

If permission to appeal is given I would like the appeal to be heard as:

- a review
- a rehearing

And by the

- Standard procedure
- Written representations procedure

If the appeal proceeds as rehearing I would like to call an expert witness at the hearing

- Yes
- No
- Possibly

I may wish to call more than one expert witness

- Yes
- No
- Possibly

Reasons for any delay

If more than 14 days has passed since the First-tier Tribunal sent to you its decision refusing you permission to appeal, you must apply for an extension of time by giving your reasons below. You must also include reasons for any delay in applying to the First-tier Tribunal if your application to the First-tier Tribunal was not admitted by it because of delay.

Enclosures

Please attach each enclosure as a separate document when emailing the application.

I have enclosed with this application for permission to appeal:

- A separate document explaining the grounds of my appeal.
- Sufficient copies of this application for service upon each of the respondents, and upon the Tribunal whose decision I seek to challenge. Please note, copies are only required if the respondent does not have an email address
- A copy of the Tribunal's main decision.
- A copy of the Tribunal's decision refusing permission to appeal, and its covering letter.
- Authority to act, signed by the appellant (if applicable).
- A cheque made payable to 'HM Courts & Tribunals Service' for £220 for the appeal lodging fee (excluding application related to Land Registration appeals).
- Paying by Bank transfer - When you submit your application, please let the Tribunal know this is your preferred method of payment and details will be provided.

Declaration, signature and date

I accept responsibility for the conduct of the case and the payment of any fees that fall due.

Signed

Print name

Date

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Status

Form guidance notes

Is this the right form for your application?

- Use this form in respect of a decision of the First-tier Tribunal (Property Chamber) in England or a Leasehold Valuation Tribunal or a Residential Property Tribunal in Wales **and** where the Tribunal has refused you permission to appeal.
- If permission to appeal has been given to you by the Tribunal concerned use Form T601.
- Please detach and keep these guidance notes. Please don't return them with the appeal form when you file it.

When must the form be lodged?

When you have completed it the form, and its requisite enclosures, must be returned to us so that it is received at the Tribunal's offices within 14 days after the date that the Tribunal whose decision you seek to challenge sent to you its decision refusing permission to appeal.

Late applications

If you are unable to lodge this form and its enclosures within the time period prescribed, you must apply for permission to lodge it late (i.e. permission to extend the time period for lodging the application for permission to appeal). You must give your reasons for requiring additional time and say how long you need. You must also pay an additional application fee of £110.

The applicant

- The applicant must have been a party to the proceedings before the Tribunal whose decision is being challenged.
- Where more than one person wants permission to appeal the names and addresses of all applicants must be stated. Attach a list separately if necessary.
- Where there is more than one applicant please indicate which of them is the person with whom the Tribunal should correspond. The Tribunal will not correspond with more than one applicant where a joint application is made.
- If permission to appeal is given, the applicant will thereafter be described as 'the appellant' in these proceedings, even if they were the respondent to the proceedings in the Tribunal whose decision is being challenged.

The applicant's solicitor or other representative

- If this section is completed all communications from the Upper Tribunal and other parties regarding this application will be sent or delivered to the appointed solicitor or representative.
- A representative who is not a solicitor must enclose an authority to act signed by the persons they represent and confirming that the representative is appointed to represent them.

Property

Please give the full address, including the postcode of the property subject of the application, and a brief description of its type, for example, 'A three-storey, mid-terraced house, converted into three self-contained flats.'

Determination of the application

Normally, the application will be determined without a hearing, unless the Tribunal decides that one is necessary or desirable, but your views are taken into consideration before making that decision.

Grounds of Appeal

You should explain your grounds of appeal in a separate document. They should be organised under a heading for each ground you rely on. If you are unable to file your grounds of appeal now you must apply for an extension of time and say how long you need. You must also pay an additional application fee of £110.

Review or rehearing?

If permission to appeal is given, an appeal may proceed in one of two ways. The Tribunal will decide which procedure is appropriate after taking your views and the views of any respondent to the appeal into account.

- In an appeal by way of **review** the Tribunal is asked to decide whether the decision being challenged was correct based on the evidence that was put before the original tribunal. No evidence is heard by the Upper Tribunal in this process.
- In an appeal by way of **rehearing**, there is a full rehearing of the case (or part of the case, if permission to appeal is limited) by the Upper Tribunal with each party calling the evidence they rely upon to establish their case. The Tribunal may allow the parties to present new evidence that was not given before the Tribunal whose decision is being challenged.

Type of procedure

Appeals are dealt with under the Tribunal's standard procedure or its written representations procedure. Please see paragraph 3 of the Practice Directions on our website for an explanation of the different types of procedures the Tribunal uses and indicate which one you believe is the most appropriate one for your appeal, if permission to appeal is given.

Expert witnesses

If the Tribunal decides the appeal will be a rehearing witnesses may be called to give evidence in the same way as at original tribunal hearing. Permission is required from the Tribunal to call more than one expert witness.

Enclosures

- The Upper Tribunal does not have access to the files of any other tribunal so it is very important that you include complete copies of the decision in respect of which you seek permission to appeal, the decision refusing permission to appeal, and the covering letter which accompanied the latter.
- Additional fees, such as hearing or determination fees, may be payable during the course of the appeal. Please see the attached guidance note on fees.
- Failure to include all of the documents listed without good reason may result in your application being struck out.

After you have completed this form:**You can submit documents and track your case digitally online with the E-Filing service**

<https://www.gov.uk/guidance/hmcts-e-filing-service-for-citizens-and-professionals>

Documents can also be sent to:

Upper Tribunal (Lands Chamber)

5th Floor

Rolls Building

Fetter Lane

London

EC4A 1NL

DX: 160042 Strand 4

Email: Lands@justice.gov.uk

Tel: 020 7612 9710

Fax: 0870 761 7751

Guidance on fees

No fees are payable in a Land Registration appeal. The following paragraphs apply to other types of appeal.

1. The fee to lodge an application for permission to appeal against a decision of a First-tier Tribunal is £220.
2. The fee to lodge an appeal against a decision of a First-tier Tribunal is £275.
3. The fee for an interlocutory application (any application to the Registrar or the President during the course of proceedings), is £110 per application.
4. The fee for a consent order is £165. This is payable for an order approved by the Tribunal disposing of an appeal on terms agreed by the parties.
5. There is no fee payable for the withdrawal of an appeal.
6. When an appeal is determined, by hearing or otherwise, a hearing fee is payable by the appellant (unless the Tribunal directs otherwise). The amount is 2% of the sum determined (or 2% of the annual rent, as the case may be) by the Tribunal subject to a £275 minimum and £16,500 maximum. If the decision of the Tribunal is not based on an amount, the fee is £550.
7. You can make an application to waive, reduce or refund fees if you are in receipt of certain benefits or are on a low income. The 'Apply for help with fees' guide and application can be found on www.gov.uk/get-help-with-court-fees or get a copy from the office.