



**FIRST-TIER TRIBUNAL  
PROPERTY CHAMBER  
(RESIDENTIAL PROPERTY)**

**Case Reference** : **CHI/45UC/PHI/2024/0004**

**Property** : **21 Harbour View Park  
Rope Walk  
Littlehampton  
BN17 5DQ**

**Applicant** : **Mr S Dunford**

**Representative** : **None**

**Respondent** : **Homewood Park Homes**

**Representative** : **Mrs L M Davis**

**Type of Application** : **Determination of any question: Mobile Homes Act 1983 (as amended)**

**Tribunal Members** : **Mr I R Perry FRICS  
Mr C M Davies FRICS  
Ms T Wong**

**Date of Inspection and Hearing** : **30<sup>th</sup> October 2024**

**Date of Decision** : **30<sup>th</sup> October 2024**

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**DECISION**

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## Summary of Decision

**The Tribunal orders that the site owner must meet its obligations in accordance with the Mobile Homes Act 1983, as should all residents.**

**The Respondent shall pay the Applicant £160 being 50% of the cost of the Application Fee and Hearing fee.**

## Background and Procedural History

1. On 13<sup>th</sup> March 2024 Mr Dunford applied on Tribunal form PH09 for a determination that the site owner should meet her obligations in accordance with the Mobile Homes Act 1983 (as amended) (“the Act”). Mrs Davis to be the de facto owner of the Park.
2. Mr Dunford is the owner of the home on pitch 21 and the Application was made in his sole name and related only to 21 Harbour View Park, although Mr Dunford is also the Chairman of the Harbour View Park Residents Association.
3. A case management application was made by Mr Dunford on 6<sup>th</sup> September 2024 to correct some references in his original application. A second case management application was made by Mr Dunford on 7<sup>th</sup> October 2024 to correct a further incorrect reference.
4. A hearing was arranged for 30<sup>th</sup> October. The Tribunal was provided with an electronic bundle of some 258 pages. References in this decision to specific pages of the bundle are enclosed in square brackets thus [ ].
5. The Tribunal was provided with the Applicant’s statement of case [3-8], the Respondent’s response [178-184] and the Applicants response to that response [99-102].
6. The park home residents of plots 3,5,8,10,11,12,16,19,20 and 21, had given written authority for Mr Dunford to act on their behalf in these proceedings [97-98].
7. Other park residents, including plots 1,7,14,15,14A, and 18, had written in support of Mrs Davis.

## The Hearing

8. A Hearing was held at Havant Justice Centre on Wednesday 30<sup>th</sup> October 2024 commencing at 10.00am. Mr Dunford represented himself and was supported by Mrs P Orr. Mrs Davis represented herself and was supported by Mr D Davis. 10 other park residents were in attendance.
9. The Tribunal had read the papers contained within the electronic bundle and had viewed 16 videos submitted by Mr Dunford.

10. From the papers it was clear to the Tribunal that there had been a long running difference between the parties as to the level of communication and consultation between the Park owner and some residents which had come to a particular head when the home on pitch 9 was replaced with a larger unit, and when energy contracts had been renewed. Some residents felt that they had not been consulted about changes to the Park, or about energy contracts, and had been disturbed when various staff or contractors had entered onto their pitch. Other residents had written in support of Mrs Davis conduct.
11. Having considered the Application and supporting documents in detail the Tribunal informed the parties that it could have no hesitation in ordering, as requested in the Application, that the Park owner should comply with her responsibilities as defined within the Act. It is axiomatic that all parties to a Mobile Home Agreement should comply with the relevant law.
12. Mrs Davis was clear that she was perfectly content to commit to do this and, when questioned, Mr Dunford was content that he had been successful in his application.
13. The Tribunal suggested to the parties that they should endeavour to improve their communication, perhaps with a written record taken of any future meetings, in the hope that they would avoid further proceedings.
14. Mr Dunford asked the Tribunal to determine that the costs of the Application and Hearing should be paid by Mrs Davis. Mrs Davis did not agree that she should pay those costs.

### **Consideration and Determination**

15. It is axiomatic that parties to an agreement in respect of a mobile home should meet their obligations in respect of the Mobile Homes Act 1983 (as amended) and the Tribunal so determines that the site owner should meet those obligations, as should all residents.
16. The Tribunal considered whether the costs of the Application, £100, and the costs of the Hearing Fee, £220, should be borne solely by either party.
17. Whilst the Tribunal had determined that the site owner should meet her obligations in accordance with the law and as requested by Mr Dunford, the Tribunal had not found that Mrs Davis had not met her obligations, and the Tribunal had also determined that the residents should fulfil their obligations.
18. The Tribunal determined that the costs of the Application and the Hearing should be borne equally by both parties. Accordingly, Mrs Davis shall pay the sum of £160 to Mr Dunford within one month of the date of this decision.

### **Right to Appeal**

1. A person wishing to appeal this decision to the Upper Chamber must seek permission to do so by making written application to the First-tier Tribunal at the Regional office which has been dealing with the case.
2. The application must arrive at the Tribunal within 28 days after the Tribunal sends to the person making the application written reasons for the decision. Where possible you should send your further application for permission to appeal by email to [rpsouthern@justice.gov.uk](mailto:rpsouthern@justice.gov.uk) as this will enable the First-tier Tribunal to deal with it more efficiently.
3. If the person wishing to appeal does not comply with the 28-day time limit, the person shall include with the application for permission to appeal a request for an extension of time and the reason for not complying with the 28day time limit; the Tribunal will then decide whether to extend time or not to allow the application for permission to appeal to proceed.
4. The application for permission to appeal must identify the decision of the Tribunal to which it relates, state the grounds of appeal, and state the result the party making the application is seeking.