



RTB1

Appeal the local authority's decision to refuse you the right-to-buy based on the property being suitable for elderly people

Application fee is £110

This form is for tenants to request a decision on whether their local authority or housing association was correct to refuse them the right-to-buy on grounds the property is suitable for an elderly person.

Paragraph 11 to Schedule 5 of the Housing Act 1985 (as amended).

Before you apply

For the tribunal to be able to make a decision, this application must be received within 56 days of the date on which you receive your landlord's notice (under section 124 Housing Act 1985).

There are only certain circumstances where housing association tenants can apply (for example when your property has transferred from a local authority).

You must complete all sections and provide all documentation requested otherwise the tribunal cannot progress your application.

If you are unable to do so you must explain why. The tribunal will decide whether or not the application can proceed.

Before you apply

You will need a copy of the landlord's notice.

If you have any questions

If you have any questions about this application contact the relevant regional office in **Annex 1**.

The tribunal cannot give legal advice on your case.

Serving the application

You must send a copy of the application to the respondent and any interested party by email or post.

Other notes

Write clearly if you are completing this form by hand.

Use another sheet of paper if there is not enough space for you to say everything.

Add your name at the top of any additional pages.

Section 1 – Applicant’s information

Note to Section 1

Use a separate sheet if you need to include details of more than one applicant.

1.1 Details of applicant(s)

First name

Last name

Company name (optional)

1.2 Address

First line of address

Second line of address

Town or city

County (optional)

Postcode

| | | | | |

1.3 Reference number for correspondence (optional)

1.4 Contact details

Phone number

Mobile number

Email address

1.5 Details of applicant's representative (if any)

First name

Last name

Company name

Note 1.5: A representative is someone you want to represent you in dealing with the tribunal.

If you appoint a representative, the tribunal office will only correspond with your representative.

1.6 Address

First line of address

Second line of address

Town or city

County (optional)

Postcode

| | | | | |

1.7 DX number for correspondence (optional)

1.8 Reference number for correspondence (optional)

Note 1.7: Not all regional offices use the DX service.

See Annex 2 for offices that have DX numbers.

1.9 Contact details

Phone number

Mobile number

Email address

Section 2 – Respondent’s information

2.1 Name of local authority or housing association

2.2 Address

First line of address

Second line of address

Town or city

County (optional)

Postcode

| | | | |

2.3 Reference number for correspondence (optional)

2.4 Contact details

Phone number

Mobile number

Email address

2.5 Details of respondent's representative (if any)

First name

Last name

Company name

2.6 Address

First line of address

Second line of address

Town or city

County (optional)

Postcode

| | | | | |

2.7 DX number for correspondence (optional)

2.8 Reference number for correspondence (optional)

2.9 Contact details

Phone number

Mobile number

Email address

Note 2.7: Not all regional offices use the DX service. See Annex 1 for offices that have DX numbers.

Section 3 – Property information

3.1 Is the address of the subject property the same as the applicant's address?

Yes

No, provide the address below

Address

First line of address

Second line of address

Town or city

County (optional)

Postcode

| | | | | |

Reference number for correspondence (optional)

3.2 The date the tenancy was granted to you as the applicant or if the tenancy passed to you from a family member, the date the tenancy was granted to the family member

Day Month Year

| | | | | |

3.3 Date of applicant's birth

Day Month Year

| | | | | |

3.4 Date of birth of the eldest household member when the tenancy was originally granted

Day Month Year

| | | | | |

Note 3.1: The subject property address could be the same as the applicant's address (for example, the property or properties involved in the application or dispute).

3.5 Brief description of the property

Note 3.5: Add a short description of the property, for example:

- is the property a bungalow, house, flat
- if a flat, which level do you live on
- does the flat contain a heating system
- how far is it in miles or kilometres to the shop and public transport links
- how many flats are in the block
- the size of the property or properties (for example 1 or 2 bedroom)
- an estimate of the age of the property

3.6 Why is your home unsuitable for occupation by elderly people?

Note 3.6: Give any additional details about your home which you believe makes it unsuitable for occupation by the elderly and which you believe the tribunal should be aware of for example:

- type of access to your home
- lift access
- nearby facilities and transport

Section 4 – Hearing

4.1 Determine without a hearing (a paper determination)

It is possible for your application to be dealt with only on written representations and documents without anyone needing to attend in person. This is called a paper determination.

Do you think a paper determination is right for your case?

Yes

No

Urgency of application

4.2 Is your case urgent?

No

Yes, explain why it is urgent

Availability

4.3 Are there any days when you or any expert or witness you are using cannot attend?

Dates on which you or they **will not be** available in the next 4 months

Support during your hearing

4.4 Do you, or anyone attending with you, need any adjustments?

Note 4.1: Even if you have asked for a paper determination the tribunal may decide that a hearing is necessary.

You'll need to pay an additional fee of £220 if a hearing date is set.

Note 4.2: Cases are dealt with as either fast or standard track, the tribunal will decide which:

Fast track - this is for simple cases that will not create a lot of paperwork or argument. Fast track cases are usually heard within 10 weeks of application.

Standard track - this is for more complicated cases with numerous issues to be decided, or where there is lots of paperwork involved. Standard track cases are usually heard within 20 weeks of application.

Note 4.4: Some people need support to access information and use our services, for example:

- documents in alternative formats, colours and fonts
- help with communication, sight, hearing, speaking, interpretation or translation
- access and mobility support if a hearing takes place in person

This form gets copied to other parties, so use a separate document if you do not want to disclose anything.

Page 8

Statement of truth

I **believe** that the facts stated in this form and any continuation pages are true.

Signature

Date

Day

Month

Year

--	--	--	--	--	--	--

Full name

Application fee

What you need to pay

The application fee is **£110**

How to pay the fee

I have not included payment because

I have applied for help with fees online and my reference number is

H	W	F							
---	---	---	--	--	--	--	--	--	--

I am applying for help with fees, see attached form EX160 'Apply for help with fees'

Other – please explain why

I want to pay by online banking

Email me details on how to pay, my email address is

I enclose a cheque or postal order, made payable to HMCTS

Note for application fee

You'll need to pay an additional fee of £220 when the hearing date is set.

You may be able to get help paying fees if you only have a small amount in savings, receive certain benefits or are on a low income.

See www.gov.uk/get-help-with-court-fees

for more information.

Note for online banking

The tribunal will send you a reference number so you can make a payment online.

Fee account details – for use by legal professionals

Your account number

P	B	A							
---	---	---	--	--	--	--	--	--	--

Your reference (if applicable)

Checklist

I have completed the application fee section

List of documents that need to be included with the application:

a copy of the landlord's notice

You must complete all sections and provide all documentation requested otherwise the tribunal cannot progress your application.

If you are unable to do so you must explain why. The tribunal will decide whether or not the application can proceed.

After you have completed this form

You can email your application and the documents from the checklist to the relevant regional tribunal address shown in the Annex 1 to this form.

If you cannot email, you can send the application by post.

Annex 1

List of addresses of tribunal regional offices

Northern region

Address:

HM Courts & Tribunals Service
First-tier Tribunal (Property Chamber)
Residential Property
1st Floor, Piccadilly Exchange
Piccadilly Plaza
Manchester
M1 WWAH

Telephone: 01612 379491

Fax: 01264 785 128

Email address: RPNorthern@justice.gov.uk

This office covers the following metropolitan

districts: Barnsley, Bolton, Bradford, Bury, Calderdale, Doncaster, Gateshead, Kirklees, Knowsley, Leeds, Liverpool, Manchester, Newcastle-upon-Tyne, Oldham, Rochdale, Rotherham, St. Helens, Salford, Sefton, Sheffield, Stockport, Sunderland, Tameside, Trafford, Tyneside (North and South), Wakefield, Wigan and Wirral.

It also covers the following unitary authorities:

Hartlepool, Middlesbrough, Redcar and Cleveland, Darlington, Halton, Blackburn with Darwen, Blackpool, Kingston-upon-Hull, East Riding of Yorkshire, Northeast Lincolnshire, North Lincolnshire, Stockton-on-Tees, Warrington and York.

It also covers the following Counties:

Cumbria, Durham, East Cheshire, Lancashire, Lincolnshire, Northumberland, North Yorkshire and West Cheshire.

Midland region

Address:

HM Courts & Tribunals Service
First-tier Tribunal (Property Chamber)
Residential Property
Centre City Tower
5-7 Hill Street
Birmingham
B5 4UU

For use by legal professionals:

DX 360601 Birmingham 5

Telephone: 0121 600 7888

Fax: 01264 785 122

Email address: RPMidland@justice.gov.uk

This office covers the following metropolitan

districts: Birmingham, Coventry, Dudley, Sandwell, Solihull, Walsall and Wolverhampton.

It also covers the following unitary authorities:

Derby, Leicester, Rutland, Nottingham, Herefordshire, Telford and Wrekin and Stoke-on-Trent.

It also covers the following Counties:

Derbyshire, Leicestershire, Nottinghamshire, Shropshire, Staffordshire, Warwickshire and Worcestershire.

Eastern region

Address:

HM Courts & Tribunals Service
First-tier Tribunal (Property Chamber)
Residential Property
Cambridge County Court
197 East Road
Cambridge CB1 1BA

For use by legal professionals:

DX 97650 Cambridge 3

Telephone: 01223 841 524

Fax: 01264 785 129

Email address: RPEastern@justice.gov.uk

This office covers the following metropolitan districts: Bracknell Forest, West Berkshire, Reading, Slough, Windsor and Maidenhead, Wokingham, Luton, Peterborough, Milton Keynes, Southend-on-Sea and Thurrock.

It also covers the following Counties: Bedfordshire, Berkshire, Buckinghamshire, Cambridgeshire, Essex, Hertfordshire, Norfolk, Northamptonshire, Oxfordshire and Suffolk.

Southern region

Address:

HM Courts & Tribunals Service
First-tier Tribunal (Property Chamber)
Residential Property
Havant Justice Centre
The Court House
Elmleigh Road
Havant
Hants PO9 2AL

Telephone: 01243 779 394

Fax: 0870 7395 900

Email address: RPSouthern@justice.gov.uk

This office covers the following unitary authorities: Bath and Northeast Somerset, Bristol, North Somerset, South Gloucestershire, Bournemouth, Plymouth, Torbay, Poole, Swindon, Medway, Brighton and Hove, Portsmouth, Southampton and the Isle of Wight.

It also covers the following Counties: Cornwall and the Isles of Scilly, Devon, Dorset, East Sussex, Gloucestershire, Hampshire, Kent, Somerset, Surrey, West Sussex and Wiltshire

London region

Address:

HM Courts & Tribunals Service
First-tier Tribunal (Property Chamber)
Residential Property
10 Alfred Place
London WC1E 7LR

For use by legal professionals:

DX 134205 Tottenham Court Road 2

Telephone: 020 7446 7700

Fax: 01264 785 060

Email address: London.RAP@justice.gov.uk

This office covers all the London boroughs.

For information on how HM Courts and Tribunals Service process and store your data visit:

www.gov.uk/hmcts/privacy-policy