



RPA01

Appeal against a penalty for non-compliance with a regulatory requirement

Use this form to make one of the appeals listed below where a local authority has issued a final notice or confirmed penalty.

If you wish to appeal more than one penalty of the same type, use a separate form for each penalty.

Tick the type of appeal you wish to make.

- A.** Appeal by landlord against a financial penalty and/or a publication penalty for:
- letting a property which has an EPC rating of band F or G,
 - or**
 - not complying with a notice requiring information relating to compliance with energy performance certification and letting a property
- B.** Appeal by a letting agent against a financial penalty for not publishing their landlord or tenant fees, redress and/or client money protection (CMP) scheme membership statements on their website, in branch or on third party websites used to advertise property to let.
- C.** Appeal by a letting agent or property manager against a financial penalty for not belonging to a redress scheme for dealing with complaints.
- D.** Appeal by a landlord against a financial penalty for non-compliance with a remedial notice for failing to equip rented premises with the required smoke alarms and/or carbon monoxide alarms.
- E.** Appeal by a property agent against a financial penalty for not being a member of an approved or designated CMP scheme or for failure to comply with CMP scheme transparency requirements.

A. Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 – Jurisdictions cover England and Wales

B. Consumer Rights Act 2015, section 83 - 88 and Schedule 9, paragraph 5 – Jurisdictions cover England and Wales

C. The Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc) (England) Order 2014 – Article 9 (Enterprise and Regulatory Reform Act 2013) – England only

D. The Smoke and Carbon Monoxide Alarm (England) Regulations 2015 (SI 2015/1693) (Energy Act 2013 and Housing Act 2004) – England only

E. The Client Money Protection Schemes for Property Agents (Requirement to Belong to a Scheme etc.) Regulations 2019.

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 at the end of this form. The tribunal will decide whether or not the application can proceed.

Before you apply

You will need a copy of the final or confirmed notice as issued by the local authority.

1. Applicant's details

1.1 Name

1.2 Address

First line of address

Second line of address

Town or city

County (optional)

Postcode

1.3 Phone number

Day

Evening

Mobile

1.4 Email address

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.

Details of applicant's representative (if any)

1.5 Name

1.6 Reference number (if any)

1.7 Address

First line of address

Second line of address

Town or city

County (optional)

Postcode

1.8 Phone number

Day

Mobile

Where details of a representative have been given, all correspondence and communications will be with them until the Tribunal is notified that they are no longer acting for you.

2. Address of subject property for energy performance certificate and smoke and carbon monoxide alarm related appeals only

2.1 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

2.2 Brief description of the property

Note 2.2: Add a short description of the Property, for example:

- 2-bedroom flat in a converted house with 6 flats

3. Details of local authority

3.1 Name of local authority

3.2 Address

First line of address

Second line of address

Town or city

County (optional)

Postcode

3.3 Address for correspondence (if different from question 3.2)

First line of address

Second line of address

Town or city

County (optional)

Postcode

3.4 Reference number on final or confirmed notice

3.5 Contact person on final or confirmed notice

3.6 Phone number

Day

Evening

Mobile

3.7 Email address

Details of respondent's representative (if any)

3.8 Name

3.9 Reference number (if any)

3.10 Address

First line of address

Second line of address

Town or city

County (optional)

Postcode

3.11 Phone number

Day

Mobile

Where details of a representative have been given, all correspondence and communications will be with them until the Tribunal is notified that they are no longer acting for you.

4. Other applications

- 4.1** Are you, or have you been involved in any other application to the tribunal or are you aware of any other application involving the same respondent or property as in this application?

Yes. **Give details in the box below.**

No

Give details including the case reference number and the date of the decision (where relevant).

5. Can we deal with your application without a hearing?

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.

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

Yes

No

Urgency of application

5.2 Is your case urgent?

Yes. **Explain why it is urgent in the box below.**

No

My case is urgent because

6. Would you be willing to engage in mediation to resolve your dispute?

The tribunal offers free mediation conducted by trained judicial mediators who are familiar with the relevant law.

Visit this website for an information video: Judicial Mediation in the First-tier Tribunal Property Chamber <https://www.youtube.com/watch?v=Mc9ngJs4Ux8>.

Agreements to mediate may be sent to the parties or may be requested from the case officer. Upon receipt of signed agreements from both parties, the tribunal will seek to arrange a date. Using mediation will not delay the application.

6.1 Would you be willing to engage in mediation to resolve this dispute, if the other side agrees and the tribunal thinks it appropriate?

Yes

No

7. Availability

- 7.1** Are there any dates or days we must avoid during the next four months (either for your convenience or the convenience of any witness or expert you may wish to call)?

Yes. **Please list them in the box below.**

No

Dates on which you will **not** be available:

8. Venue requirements

- 8.1** Do you or anyone coming with you have any special requirements, such as, the use of a wheelchair and/or the presence of a translator?

Yes. **Please list them in the box below.**

No

Applications handled by the London regional office are usually heard in Alfred Place, which is fully wheelchair accessible. Elsewhere, hearings are held in local venues which are not all so accessible and the case officers will find it useful to know if you or anyone you want to come to the hearing with you has any special requirements of this kind.

9. Outcome of your appeal

9.1 What outcome are you seeking from your appeal?

For example:

- Set aside the penalty notice, or
- Reduce the amount of the penalty.

If you consider that the local authority was wrong to impose a penalty, or that you had a reasonable excuse for failing to comply with a notice from the authority, you may indicate that here.

9.2 Did you receive a notice of intent before the final or confirmed penalty notice?

Yes

No

9.3 Did you make any representations about the intention to impose a penalty?

Yes. **Give details below.**

No

Briefly summarise the representations you made

9.4 Did the local authority notify you that it had considered your representations and of the outcome?

Yes

No

9.5 Did the final or confirmed notice state any of the following?

the amount of the penalty (where appropriate)

Yes

No

the reasons for imposing the penalty

Yes

No

how to pay the penalty (where appropriate)

Yes

No

the period for payment of the penalty (where appropriate)

Yes

No

your right of appeal

Yes

No

consequences of not complying with the notice

Yes

No

9.6 Do you believe the local authority was wrong to impose a penalty?

Yes. **Give reason in the box below.**

No

I believe the local authority was wrong to impose a penalty
because

9.7 Do you dispute the amount of the penalty (where appropriate)?

Yes

No

9.8 Has the penalty been explained to you and how the amount was calculated, by reference to the local authority's policy or a matrix?

Yes

No

9.9 Do you disagree with the calculation (where appropriate)?

Yes. **Explain why in the box below.**

No

9.10 Without admitting liability or detracting in any way from your previous answers, do you wish to make any practical proposals now to settle your appeal? If so, please set them out here.

Yes. **Set out your proposal in the box below.**

No

I propose the case could be settle in the following way

10. 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

11. Additional information

If you have not completed all sections of this form please tell us in the box below which sections have not been completed and why.

12. Checklist

Ensure that the following are enclosed with your application:

A copy of the **final or confirmed notice** given to you by the local authority.

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 4AH

Telephone: 01612 379491

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

Email address: RPMidland@justice.gov.uk

This office covers Wales in respect of appeals A and B, as shown on the front of this form.

It also 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

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

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

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