



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

Case reference : **HAV/43UL/PHC/2025/0603**

Property : **128 Fangrove Park, Lyne Lane, Lyne,
Chertsey, KT16 0BS**

Applicant : **Wyldecrest Parks (Management)
Limited**

Representative : **None**

Respondent : **Mr Lee Fox**

Representative : **None**

Type of application : **Determination of any question arising
under Section 4 Mobile Homes Act 1983**

Tribunal members : **R Waterhouse FRICS**

Venue : **Determination on papers**

Date of decision : **2 October 2025**

DECISION

ORDER

1. The Tribunal orders, for 128 Fangrove Park, Lyne Lane, Lyne, Chertsey, KT16 oBS, as follows
 - 1.1 that the respondent provides the applicant with a copy of the Schedule 5 Notice of Assignment including; any written statement and park rules given to him by the previous owner, a copy of the form of assignment (Schedule 4) and evidence of the price paid for the home.
 - 1.1 that the Respondent reimburses the Applicant their application fee of £110.00.
2. The above to be completed within 28 days of the issuing of the decision.

BACKGROUND

3. By an application dated 13 February 2025, (“the Application”), the Applicants sought determinations under section 4 of the Mobile Homes Act 1983, (“the 1983 Act”) as follows:
 - 3.1 that the new owner , from 19 August 2024, of 128 Fangrove Park must provide the Applicant with a copy of a Schedule 5 Notice of Assignment including ; a written statement and park rules provided to the new owner by the previous owner, a copy of the form of assignment *Schedule 4) and evidence of the price paid for the home.
 - 3.2 that the new owner of 128 Fangrove Park provide the Applicant with the application fee of £110.00
4. Directions dated 14 May 2025 provided that the tribunal would not inspect the property, that the Applicant should send to the Respondent by 4 June 2025, a signed and dated statement, copies of all relevant documents, and any witness statements if any.
5. Additionally, that the Respondent’s case should be sent to the Applicant by 25 June 2025 to contain a signed and dated statement of truth, copies of all documents to be relied upon, and any witness statements. That the Applicant has the right to a concise reply to reach the Respondent by 9 July 2025.
6. By subsequent Directions dated 9 July 2025 Regional Judge Whitney ordered that in the absence of a reply to date from the Respondent, the Directions and the bundle should be posted to the Respondent and if there is no response by 23 July 2025 the application should be determined on the papers.

7. The tribunal has received no response.

LAW

Mobile Homes Act 1983

8. Section 4 of the Mobile Homes Act 1983, (“the 1983 Act”), provides that:

- (1) In relation to a protected site ..., a tribunal has jurisdiction—
 - (a) to determine any question arising under this Act or any agreement to which it applies; and
 - (b) to entertain any proceedings brought under this Act or any such agreement, subject to subsections (2) to (6).

9. Section 231A of the Housing Act 2004 provides that:

- (1) The First-tier Tribunal...exercising any jurisdiction conferred by or under...the Mobile Homes Act 1983...has, in addition to any specific powers exercisable by them in exercising that jurisdiction, the general power mentioned in subsection (2).
- (2) The tribunal’s general power is a power to give such directions as the tribunal considers necessary or desirable for securing the just, expeditious and economical disposal of the proceedings or any issue in or in connection with them.
- (3) ...
- (3A) ...
- (4) When exercising jurisdiction under the Mobile Homes Act 1983, the directions which may be given by the tribunal under its general power include (where appropriate)—
 - (a) directions requiring the payment of money by one party to the proceedings to another by way of compensation, damages or otherwise;
 - (b) directions requiring the arrears of pitch fees or the recovery of overpayments of pitch fees to be paid in such manner and by such date as may be specified in the directions;
 - (c) directions requiring cleaning, repairs, restoration, re-positioning or other works to be carried out in connection with a mobile home, pitch or protected site in such manner as may be specified in the directions;

- (d) directions requiring the establishment, provision or maintenance of any service or amenity in connection with a mobile home, pitch or protected site in such manner as may be specified in the directions.

(5) ...

The Mobile Homes (Selling and Gifting) (England) Regulations 2013

Form of assignment and notice of assignment

9.—(1) An assignment of an agreement pursuant to paragraph 7A(2), 7B(1), 8A(2) or 8B(1) of Chapter 2 of Part 1 of Schedule 1 to the 1983 Act (as the case may be) must be made—

(a) in writing; and

(b) in the form prescribed in Schedule 4 (or in a form to substantially the like effect).

(2) Within seven days of the assignment, the assignee must serve on the owner a notice of the assignment which complies with the requirements of paragraphs (3) to (8) below (a “notice of assignment”).

(3) In every case, the notice of assignment must specify—

(a) the name of the assignor;

(b) the name of the assignee and of any other person who intends to reside in the mobile home with the assignee;

(c) the address of the mobile home;

(d) the date of assignment of the agreement; and

(e) a forwarding address for the assignor.

(4) In the case of a sale of a mobile home, the notice of assignment must also—

(a) specify the purchase price of the mobile home and the amount of commission which the assignee is required to pay to the owner under paragraph 7A(5) or 7B(8) of Chapter 2 of Part 1 of Schedule 1 to the 1983 Act (as the case may be); and

(b) contain an explanation of the requirements prescribed by regulation 10 (payment of commission).

(5) In cases where the site has pre-commencement rules or site rules, the notice of assignment must also contain a statement confirming that the assignee has read and understood those rules (or has had them explained to him or her) and agrees to comply with them.

(6) In cases where the site has a pre-commencement rule or site rule relating to the age of occupiers, the notice of assignment must also specify the age of the assignee and any person intending to reside in the mobile home with the assignee.

- (7) The notice of assignment must be—
- (a) provided in the form prescribed in Schedule 5, or in a form substantially to the like effect; and
 - (b) accompanied by the documents mentioned in paragraph (8).
- (8) The documents are—
- (a) a copy of the instrument giving effect to the assignment;
 - (b) in the case of a sale, documentary evidence of the price paid by the assignee for the mobile home;
 - (c) a copy of any pre-commencement rules or site rules which the assignee received pursuant to regulation 3(1)(c) or (d) (as the case may be); and
 - (d) a copy of the agreement and written statement that the assignee received pursuant to regulation 3(1)(a).
- (9) The notice of assignment and other documents required to be provided to the owner under this regulation may be either delivered to the owner personally or sent by post.

SCHEDULE 5 Notice of assignment

NOTICE OF ASSIGNMENT (to be completed by the assignee(s) and sent to the site owner(s) within 7 days of the assignment of the agreement taking place)	
Section 1 – Details of the parties To:..... (insert name of site owner(s)) From:..... (insert name(s) of new occupier(s)) I am/We are the new occupiers of the mobile home stationed at The pitch agreement was assigned to me/us on(insert date of assignment) by(insert name of previous occupier(s)) in the terms set out in the written statement/ agreement and including those implied into the agreement by the Mobile Homes Act 1983. The previous occupier's forwarding address is: Note: Where there is a conflict between an express term contained in the agreement and an implied term, the implied term overrides the express term and it is the implied term that governs the agreement.	
Section 2 – purchase price and payment of commission (to be completed for sales only, not for gifts) Purchase Price I/We purchased the mobile home for £.....(insert total purchase price) of which the amount of £.....(insert amount) is the commission due to the site owner under the Mobile Homes Act 1983. Payment of Commission The site owner is required to provide me with details of the bank account into which the commission should be paid, as soon as practicable after receipt of this notice. Note: The new occupier has 7 days from the date of receipt of the site owner's bank details during which to pay the commission to the site owner.	
Section 3 – persons residing in the mobile home	

The Determination

16. In the absence of communication from the Respondent and in accordance with the Directions the matter was determined on the papers.

REASONS

The Mobile Home (Selling and Gifting) Regulations 2013, “the regulations” at paragraph 9 “Form of assignment and notice of assignment” provide that the assignment must be in writing and in the form prescribed in Schedule 4.

The Regulations at 9 (7) state “The notice of assignment must be -”

- (a) Provided in the form prescribed in Schedule 5, or in a form substantially to the like effect; and
- (b) accompanied by the documents mentioned in paragraph (8).

8 The documents are-

- (a) a copy of the instrument giving effect to the assignment
- (b) in the case of a sale, documentary evidence of the price paid by the assignee for the mobile home
- (c) a copy of any pre-commencement rules or site rules which the assignee received pursuant to regulation 3(1) (c) or (d) (as the case may be):

The Regulations provide that the documents listed in the Application must be provided. The Applicant submits these documents have not been provided to them by the Respondent. There has been no response from the Respondent.

The Tribunal orders that the documents the subject of the application namely;

- a copy of the Schedule 5 Notice of Assignment including;
- any written statement and park rules given to him by the previous owner,
- a copy of the form of assignment (Schedule 4) and evidence of the price paid for the home.

Should be provided to the applicant within 28 days of the issuing of this decision.

The Tribunal considers in the absence of any communication by the Respondent nor the furnishing of the relevant document the reimbursement of the application fee of £110 is reasonable. The Tribunal orders this to be refunded to the applicant by the Respondent within 28 days of the issuing of the decision.

Chair: R Waterhouse FRICS

Rights of appeal

By rule 36(2) of the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013, the tribunal is required to notify the parties about any right of appeal they may have.

If a party wishes to appeal this decision to the Upper Tribunal (Lands Chamber), then a written application for permission must be made to the First-tier Tribunal at the regional office which has been dealing with the case.

The application for permission to appeal must arrive at the regional office within 28 days after the tribunal sends written reasons for the decision to the person making the application.

If the application is not made within the 28-day time limit, such application must include a request for an extension of time and the reason for not complying with the 28-day time limit; the tribunal will then look at such reason(s) and decide whether to allow the application for permission to appeal to proceed, despite not being within the time limit.

The application for permission to appeal must identify the decision of the tribunal to which it relates (i.e. give the date, the property and the case number), state the grounds of appeal and state the result the party making the application is seeking.

If the tribunal refuses to grant permission to appeal, a further application for permission may be made to the Upper Tribunal (Lands Chamber).