



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

Case Reference : HAV/00HQ/PHK/2025/0001

Property : Tall Trees, 7 Matcham Lane, Hurn,
Christchurch, BH23 6AW

Applicant : Tall Trees Home Owners Association

Representative : Anne Scotting

Respondent : AR Christchurch Limited T/A Regency
Living

Representative :

Type of Application : Recognition of Applicant as a Qualifying
Residents' Association (Paragraph 28(1)(h)
of Chapter 2 of Part 1 of Schedule 1 to the
Mobile Homes Act 1983 (as amended)

Tribunal Member : Regional Judge Whitney

Date of Decision : 30 April 2026

DECISION

This is a formal order of the Tribunal which must be complied with by the parties.

The parties must comply with the Statement of Tribunal Rules and Procedure

Communications to the Tribunal MUST be made by email to rpsouthern@justice.gov.uk. All communications must clearly state the Case Number and address of the premises.

Background

1. By an application dated 16 November 2025 and updated on 20 April 2026, the Applicant seeks an Order that Tall Trees Home Owners Association is a Qualifying Residents Association as defined by paragraph 28 of Chapter 2 of Schedule 1 of the Mobile Homes Act 1983.
2. Directions were made by the Tribunal on 27 April 2026 identifying a single issue to be determined:
 - Whether the Respondent has acknowledged the Applicant is a qualifying residents' association
3. In its original application, made using an out-of-date form, the Applicant referred to correspondence with the Respondent's previous area manager who has "moved on". The Applicant asks the Tribunal whether or not an email from the current area manager that he supports the application will be accepted as so.
4. The Tribunal has now received an application on form PH11 (the current application form) and considered the Respondent's email to Tribunal dated 23 April 2026 confirming their support of AR Christchurch Limited, T/A Regency Living to the Tall Trees Home Owners Associations' application for the registration, alongside the Applicant's email dated 28 April 2026 stating the reasoning for making the application was 'to ensure regular interface with the park owner for the benefit of both the park owner and the residents.'

The Law

5. Paragraph 28 of Chapter 2 of Schedule 1 of the Mobile Homes Act 1983 states as follows:
 - (1) A residents' association is a qualifying residents' association in relation to a protected site if-
 - a) it is an association representing the occupiers of mobile homes on that site;
 - b) at least 50 per cent of the occupiers of the mobile homes on that site are members of the association;

- c) it is independent from the owner, who together with any agent or employee of his is excluded from membership;
- d) subject to paragraph (c) above, membership is open to all occupiers who own a mobile home on that site;
- e) it maintains a list of members which is open to public inspection together with the rules and constitution of the residents' association;
- f) it has a chairman, secretary and treasurer who are elected by and from among the members;
- g) with the exception of administrative decisions taken by the chairman, secretary and treasurer acting in their official capacities, decisions are taken by voting and there is only one vote for each mobile home; and
- h) the owner has acknowledged in writing to the secretary that the association is a qualifying residents' association, or, in default of this, the appropriate judicial body has so ordered

(2) When calculating the percentage of occupiers for the purpose of subparagraph (1)(b) above, each mobile home shall be taken to have only one occupier and, in the event of there being more than one occupier of a mobile home, its occupier is to be taken to be the occupier whose name first appears on the agreement.

- 6. For the purposes of subparagraph (1)(h) above this Tribunal is an appropriate judicial body.

Decision

- 7. **In all the circumstances, and given that the site owner agrees, the Tribunal is satisfied that the Applicant is a Qualifying Residents Association for the purposes of paragraph 28 of Chapter 2 to Schedule 1 of the Mobile Homes Act 1983 and so Orders accordingly.**

RIGHTS OF APPEAL

- 8. A person wishing to appeal this decision to the Upper Tribunal (Lands Chamber) must seek permission to do so by making written application to the First-tier Tribunal at rpsouthern@justice.gov.uk being the Regional office which has been dealing with the case.
- 9. 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.
- 10. 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 28 day time limit; the Tribunal will then decide whether to extend time or not to allow the application for permission to appeal to proceed.

11. 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