



NOTICE OF APPEAL AGAINST A DECISION OF A RESIDENTIAL PROPERTY TRIBUNAL

This form is to be used only when permission to appeal has been granted by the RPT.

First open out the whole sheet, then read the notes opposite the form

1. Type of Case

← See Note 1 opposite

This appeal relates to a decision of an RPT concerning: *(tick one)*

- A.** Emergency remedial action or prohibition notice
- B.** Demolition order or clearance area declaration
- C.** House licence
- D.** Other notice, order or matter

2. I am the *(tick one)*:

- A.** Local Housing Authority
- B.** Property owner/landlord

3. Name of Property Owner/Landlord

← See Note 2 opposite

Address:

.....

.....

Telephone No. Fax No.

4. Name of Property Owner/Landlord's solicitor or other representative

← See Note 3 opposite

Address:

.....

.....

Telephone No. Fax No. Status

5. Name of Local Housing Authority (LHA)

← See Note 4 opposite

Address:

.....

.....

Telephone No. Fax No.

6. Name of LHA's Solicitor or other Representative

← See Note 5 opposite

Address:

.....

.....

Telephone No. Fax No. Status

7. Description & Address of the property

← See Note 6 opposite

Address:

.....

.....

8. Residential Property Tribunal details

← See Note 7 opposite

8A. Name of RPT

8B. RPT Appeal Number



9. Date RPT decision granting permission to appeal was sent to the parties

See Note A opposite →

Date

10. I would like my appeal to be heard as a (tick one): (see Note B) opposite

- A. Review
- B. Review with a view to rehearing
- C. Rehearing

11. Grounds of appeal

See Note C opposite →

.....

12. Extension of time

See Note D opposite →

Have more than 28 days elapsed since the date at 9 above? Yes No
 If so, you will need to ask for permission to proceed out of time. Apply by ticking this box
 and giving the reasons for lateness here:

.....

13. Procedure for appeal

See Note E opposite →

(tick one box for each question)

13A. I intend to call an expert witness at the hearing of the appeal: Yes No

13B. I intend to apply for permission to call more than one expert witness at the hearing of the appeal: Yes No

13C. The type of procedure I wish to be used in this appeal is:
 A. Standard procedure C. Simplified procedure
 B. Special procedure D. Written representation procedure

13D. The reason I wish to use this procedure is:.....

14. Fees

See Note F opposite →

I have enclosed:

- the appeal fee of £50 Yes No
- the extension of time application fee of a further £40 Yes No



Tribunals Service

Lands Tribunal

15. Declaration, Signature and Date

See Notes G & H opposite →

I accept the responsibility for the conduct of the case and the payment of fees due

Signed Name in Capitals

Date Status



NOTICE OF APPEAL AGAINST A DECISION OF A RESIDENTIAL PROPERTY TRIBUNAL

Notes 1 to 7

First open out the whole sheet, then read all the notes before completing the form opposite. Refer also to the Lands Tribunal Explanatory Leaflet, Rules and Practice Directions.

Note 1 TYPE OF CASE

See question 1 opposite →

Use this form if the appeal relates to a decision of an RPT relating to *either* (A) emergency action taken by a Local Housing Authority or an emergency prohibition notice *or* (B) a demolition order or declaration of a clearance area *or* (C) HMO or other house licence *or* (D) other matters such as prohibition, improvement or overcrowding notice or management order.

Note 2 NAME OF PROPERTY OWNER/LANDLORD

See question 3 opposite →

Give the full name of the property owner/landlord (i.e. the person appealing or seeking permission to appeal), who may be an individual person, a limited company or PLC, or a partnership or firm. They **must** have been a party to the appeal before the RPT. The address should be the normal business address or postal address of the applicant. If the address changes the Lands Tribunal should be notified at once. Please provide telephone and fax numbers.

Note 3 NAME OF SOLICITOR OR REPRESENTATIVE

See question 4 opposite →

If a representative is instructed to act, give their name and address, and indicate their status (e.g. solicitor). A representative other than a solicitor **must supply a written authority to act** that is signed by the property owner/landlord.

Note 4 NAME AND ADDRESS OF LHA

See question 5 opposite →

Give the full name and usual postal address of the Local Housing Authority.

Note 5 NAME AND ADDRESS OF LHA'S REPRESENTATIVE

See question 6 opposite →

Give the full name and address, telephone number and status (e.g. solicitor, housing officer) of the Local Housing Authority's representative, if any.

Note 6 PROPERTY

See question 7 opposite →

Give the description of the property to which the decision of the RPT relates (e.g. house, flat, block of flats) and the normal postal address.

Note 7 RESIDENTIAL PROPERTY TRIBUNAL DETAILS

See question 8 opposite →

Give the name of the RPT, the date of issue of the disputed decision, and the RPT appeal number. A copy of the decision **must** be attached to this notice. If there were a series of related appeals, it is important to distinguish carefully the particular appeal to which this notice relates. A copy of the RPT notice of grant of permission must also be attached to this notice.



NOTES A to H

First open out the whole sheet, then read all the notes before completing the form opposite.

Note A DATE RPT GRANT OF PERMISSION TO APPEAL WAS SENT TO PARTIES

← *See question 9 opposite*

Give the date on which the RPT granted permission to appeal. A Notice of Appeal may be made to the Lands Tribunal **only** if you have previously sought permission from the RPT **and it was granted**: see Note 1 on page 4. Unless an **urgency direction** has been or is made, it must be made **within 28 days** of the sending of the grant (but see Note C below). A copy of the RPT notice granting permission must be attached to this form. See the Explanatory Leaflet and the Practice Directions for information on urgency directions.

If the RPT has refused permission, you must instead file an Application for Permission to Appeal, and it must be filed with the Lands Tribunal within 14 days of the refusal of permission by the RPT.

Note B REVIEW OR REHEARING

← *See question 10 opposite*

When an appeal proceeds to a hearing before a Tribunal member there are three ways in which that hearing may proceed. If the case is an **appeal by way of review**, no further evidence is heard and the Tribunal is asked to give a decision on whether the RPT correctly applied the law to the evidence at the earlier hearing.

If the case is an **appeal by way of review with a view to rehearing**, no further evidence is heard, but if the Tribunal is satisfied that the RPT incorrectly applied the law or that the earlier hearing contained serious procedural errors, a new hearing is held before the Tribunal.

If the case is an **appeal by way of rehearing**, the case is completely reheard, with each party calling all the evidence they rely upon to establish their case. The Tribunal may at its discretion allow the parties to present new evidence, which was not given before the RPT. The Tribunal will take into account the way you wish your appeal to be heard, but the Tribunal will make the decision.

Note C GROUNDS OF APPEAL

← *See question 11 opposite*

Using numbered points state briefly why you say that the decision of the RPT is wrong. You may attach an additional sheet if necessary. If permission to appeal is given, this form will be your notice of appeal. At the hearing of the appeal, you may rely only on the grounds stated, unless you apply for, and the Lands Tribunal grants, permission to put forward additional grounds.

Note D EXTENSION OF TIME

← *See question 12 opposite*

If you are within the 14 day time limit for applying for permission (28 days if RPT granted permission, unless an urgency direction exists or is made), confirm this by ticking NO. If you are out of time, you must also apply for permission to proceed out of time by ticking the box. Give the reasons why you are late, in the space provided. An extra £40 fee is payable (see Note E below).

Note E PROCEDURE

← *See question 13 opposite*

If permission to appeal is granted, and your case proceeds as an appeal, you need to indicate whether you wish to call an expert witness at the hearing by ticking the boxes as appropriate. The Tribunal will tell you when the witness documents have to be sent in. If you wish to call more than one expert witness, the Tribunal will contact you about it. Most cases follow the **Standard Procedure**; if you think your appeal should follow the **Simplified Procedure**, the **Special Procedure**, or the **Written Representations Procedure** tick the box and the Tribunal will contact you about it. See the Lands Tribunal Explanatory Leaflet for more information about the different procedures.



Note F FEES

← See question 14 opposite

The basic lodging fee is £50 per application for permission and a further £40 per application for an extension of time. Cheques must be made payable to “**Tribunal Service**”. Further fees will be payable later on when the case proceeds.

Note G DECLARATION, SIGNATURE AND DATE

← See question 15 opposite

The form must be signed and dated by the applicant, or the applicant’s solicitor or representative. The signer thereby accepts responsibility for the payment of fees incurred.

Note H HOW MANY COPIES AND WHERE TO SEND THEM

← See question 14 opposite

Attach to this notice: the fee, a copy of the RPT decision appealed against, and a copy of the RPT decision granting permission to appeal. Provide two additional copies of this notice for service upon the other party and upon the RPT. Please send the papers to:

The Registrar, Lands Tribunal 43-45 Bedford Square, London WC1B 3AS

DX: 149065 Bloomsbury 9

(Tel: 020 7612 9710, Fax: 020 7612 9723)



Tribunals Service

Lands Tribunal