



Application Form Housing Act 2004

Applications relating to Interim and Final Management Orders (MOs)

It is important that you read the notes below carefully before you complete this form.

This is the correct form to use if you want the Residential Property Tribunal ("The Tribunal") to determine one of the applications listed in Annex 1.

Please send your completed application form together with the documents listed on page 5 and any application fee payable, to the appropriate Rent Assessment Panel. (See Annex 3 for Panel addresses). **Please do not send any other documents.** If and when further evidence is needed you will be asked to send it in separately.

If you have any questions about how to fill in this form, the fee payable (if any), or the procedures the Tribunal will use, please call the Residential Property Tribunal Service on 0845 600 3178.

Guidance Note

The term "application" as used in this form refers to the appeals and applications listed in Annex 1 to this form.

1. DETAILS OF APPLICANT(S) (If there are multiple applicants, please continue on a separate sheet)

Name: _____

Address (including postcode): _____

Address for correspondence (if different): _____

Telephone: Day: _____ Evening: _____ Mobile: _____

Email address: _____

Capacity (e.g. Local Housing Authority, Owner): _____

*Representative details: _____

**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 (including postcode) of SUBJECT PROPERTY

3. BRIEF DESCRIPTION OF SUBJECT PROPERTY (e.g. converted house containing 5 flats) AND APPLICANT'S CONNECTION WITH PROPERTY

4. DETAILS OF RESPONDENT (S) (if you are appealing against a decision or order, the respondent will normally be the issuing Local Housing Authority ("LHA").)

Name: _____

Address (including postcode): _____

Address for correspondence (if different) _____

Telephone: Day: _____ Evening: _____ Mobile: _____

Email address (if known) _____ Fax: _____

Capacity (e.g. LHA, Owner): _____

5. DETAILS OF ANY INTERESTED PERSONS (Please continue on a separate sheet if necessary)

Name: _____

Address (including postcode): _____

Name: _____

Address (including postcode): _____

Guidance Note

Interested persons are others who may be entitled, and wish to apply to join in the proceedings as applicants or respondents. If you know their names and addresses these should be included here.

6. TYPE OF APPLICATION

Please specify the type of application you wish to make. It would assist the Tribunal if you could use the list in Annex 1 to this form, and indicate the number and description of the relevant application.

Depending on the type of application, the Tribunal will need certain information to assist it in its consideration of the facts. Please read questions (a) and (b) below and complete where relevant.

(a) If you are appealing against the service of a notice or an order, when did you receive that notice or order?

(b) If you are appealing against a decision of your Local Housing Authority, when was that decision made and when did you find out about it?

Please set out the ground for your application on the enclosed sheet titled **GROUNDS OF APPLICATION**.

7. OTHER APPLICATIONS

Are you involved in any other Housing Act 2004 application(s) or are you aware of any other application(s) involving the same owner or property as in this application? If so please give details:

8. CAN WE DEAL WITH YOUR APPLICATION WITHOUT A HEARING?

If the Tribunal thinks it is appropriate, and no party requires a hearing, it is possible for your application to be dealt with entirely on the basis of written representations ("A paper determination").

Please let us know if you would be happy for the case to be dealt with by way of paper determination if the Tribunal thinks it appropriate. YES NO

NB: Even if you have asked for a paper determination the Tribunal may decide that a hearing is necessary. You can also ask for an oral hearing at any time before the determination is made.

Please go on to complete this form in full on the assumption that a hearing will be held.

9. URGENCY OF APPLICATION

We need to decide whether the case needs to be dealt with quickly.

Please let us know if there is a particular urgency for a determination in this case and if so, why?

10. AVAILABILITY

If there are any days or dates we must avoid during the next three months (either for your convenience or the convenience of any witness or expert you may wish to call) please list them here:

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

11. VENUE REQUIREMENTS

Please provide details of any special requirements you or anyone who will be coming with you may have (e.g. the use of a wheelchair and/or the presence of an interpreter):

Applications handled by the London Panel 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 Clerks 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.

12. DOCUMENTS

Following receipt of your application you will be asked to provide a number of documents (referred to as a 'bundle') in support of your case. However, at this stage you must include those documents set out in Annex 2 to this form which are relevant to the application you are making. **Failure to include the specified documents might make this application invalid.** Any additional documents required by the Tribunal will be requested at a later stage.

13. FEES

A number of applications attract a fee of £150. Please consult Annex 1 for confirmation of whether a fee is payable.

14. CHECKLIST

Please check that :

- You have completed this form fully. The Tribunal will not process your application until this has been done and it has both a copy of the required documents and the fee (if applicable).
- A copy of the required documents is enclosed.
- A crossed cheque or postal order for the fee (if applicable) is enclosed. Please put your name and address on the back of any cheque you send.

DO NOT send cash under any circumstances. Cash payment will not be accepted and any application accompanied by cash will be returned to the applicant.

Fees should be paid either by crossed cheque made payable to, or a postal order drawn in favour of the Department for Communities and Local Government.

Waiver of Fees

You will **not** be liable to pay a fee if you or your partner is in receipt of:

- Income Support
- Housing Benefit
- Income Based Job Seeker's Allowance
- Income-Related Employment and Support Allowance
- A Working Tax Credit where:
 - **either** that Credit includes a disability element or severe disability element **or** is combined with child tax credit **and**
 - the gross annual income used to calculate the Working Tax Credit is £14,213 or less
- A guarantee credit under the State Pensions Credit Act 2002
- A current certificate issued under the Funding Code (legal aid) which is in respect of the proceedings before the Tribunal, the whole or part of which have been transferred from the County Court for determination by a Tribunal.

If you wish to claim a waiver of fees you must complete another form available from the Panel office. The waiver form will not be copied to other parties in the proceedings.

If you are making several applications at the same time, even if you are using different application forms or the applications relate to different parts of the Tribunal's jurisdiction, you do not have to pay a separate fee for each application. The overall fee will be the biggest of the fees payable for each application on its own.

15. STATEMENT OF TRUTH

I believe that the facts stated in this application are true.

Signed: _____

Name (IN CAPITALS) _____

Date: _____

16. GROUNDS OF APPLICATION

PLEASE USE THE SPACE BELOW TO SUMMARISE THE GROUNDS OF YOUR APPLICATION.

Type of application _____

Grounds of application (please continue on a separate sheet if necessary):

ANNEX 1: List of applications to Residential Property Tribunals under Housing Act 2004

This list relates solely to matters concerning Management Orders

*An asterisk by the number in the first column denotes that a fee is required for that application.

Abbreviations

LHA = Local Housing Authority

MO = Management Order

No.	Provisions of Housing Act 2004	Type of Application
1	Section 102(4)	Authorisation of an Interim MO Application by a LHA for authorisation of an Interim MO.
2	Section 102(7)	Authorisation of a Special Interim MO Application by a LHA for authorisation of a Special Interim MO.
3	Section 105(10)	Continuation of an Interim MO beyond expiry date Application by a LHA for an Order that an Interim MO should continue in force pending disposal of an appeal under paragraph 24 to Schedule 6 of the Housing Act 2004, against a replacement Final MO.
4	Section 114(7)	Continuation of a Final MO beyond the expiry date Application by a LHA for an Order that a Final MO should continue in force pending disposal of an appeal under paragraph 24 to Schedule 6 of the Housing Act 2004, against a replacement Final MO.
5	Section 110(7)	Order that accounts of expenditure be adjusted in a case where the LHA have made an Interim MO An application by the relevant landlord for an Order declaring that an amount shown in the accounts as expenditure does not constitute relevant expenditure, and requiring the LHA to make such financial adjustments (in the accounts or otherwise) as are necessary to reflect the Tribunal's declaration.
6	Section 120(1)	Order that a LHA manage in accordance with a management scheme in a Final MO An application by an affected person for an Order requiring the LHA to manage in accordance with a Final MO.
7*	Section 126(4)	Order for an adjustment to the rights and liabilities with regard to furniture, vested in a LHA by a MO An application by one or more persons who own furniture in a dwelling that is let furnished, for an adjustment of their respective rights and liabilities with regard to that furniture.
8	Section 130(9)	Determination of relevant landlord An application, following cessation of an Interim or Final MO that is not followed by another Order, by one or more relevant landlords in relation to different parts of the house, for a determination as to who is to be the relevant landlord for the purposes of section 130.
9*	Schedule 6, para. 24(1)(a)	Appeal against an MO An appeal by a relevant person against a decision of the LHA to make an Interim or Final MO (save in respect of an Interim or Special Interim MO made in accordance with the Tribunal's authority or direction).

Continued...

ANNEX 1: List of applications to Residential Property Tribunals under Housing Act 2004 (continued)

No.	Provisions of Housing Act 2004	Type of Application
10*	Schedule 6, para. 24(1)(b)	Appeal against the terms of an MO An appeal by a relevant person against the terms of a MO (including, if it is a Final MO, the management scheme), save for an Interim or Special Interim MO made in accordance with the Tribunal's authority or direction.
11*	Schedule 6, para. 24(1)(b) and (3)	Appeal against the terms of an Interim MO on grounds relating to payment of rent and interest An appeal by a relevant person against the terms of an Interim MO on the grounds that they do not provide for the periods for payment of rent etc. to the landlord and/or interest on those payments.
12*	Schedule 6, para 28	Variation by the LHA of an Interim or Final MO An appeal by a relevant person against the decision of a LHA to vary an Interim or Final MO.
13*	Schedule 6, para 28	Refusal by the LHA to vary an Interim or Final MO An appeal by a relevant person against the decision of a LHA to refuse to vary an Interim or Final MO.
14*	Schedule 6, para. 28	Revocation by the LHA of an Interim or Final MO An appeal by a relevant person against the decision of a LHA to revoke an Interim or Final MO.
15*	Schedule 6, para. 28	Refusal by the LHA to revoke an Interim or Final MO An appeal by a relevant person against the decision of a LHA to refuse to revoke an Interim or Final MO.
16*	Schedule 6, para. 32	Decision of the LHA on compensation of third party for interference with rights in consequence of an Interim or Final MO An appeal by a third party against the decision of a LHA under section 128 of the Act in respect of whether, and if so how much, compensation should be payable to a third party for interference with their rights in respect of the dwelling as a consequence of an Interim or Final MO.

ANNEX 2: List of documents to be included with application

Application number	Document(s) to be included
1	<p>a) a copy of the draft Interim MO</p> <p>b) a statement of matters relevant to the Tribunal's consideration of:</p> <ul style="list-style-type: none"> i. whether the health and safety condition in section 104 of the Act is satisfied ii. the extent to which any applicable code of practice approved under section 233 of the Act has been complied with <p>AND</p> <ul style="list-style-type: none"> iii. where the LHA requests that the matter be dealt with as a matter of urgency under Regulation 9, a statement giving sufficient details to enable the Tribunal to form an opinion as to whether the exceptional circumstances mentioned in Regulation 9(3) appear to exist.
2	<p>a) a copy of the draft Special Interim MO</p> <p>b) a statement of matters relevant to the Tribunal's consideration as to whether the conditions in section 103(3)(4) are satisfied:</p> <p>c) where the LHA requests that the matter be dealt with as a matter of urgency under Regulation 9, a statement giving sufficient details to enable the Tribunal to form an opinion as to whether the exceptional circumstances mentioned in Regulation 9(3) appear to exist.</p>
3	<p>a) a copy of the Interim MO</p> <p>b) a copy of the notice of appeal under paragraph 24 of Schedule 6 to the Act against the making of a Final MO.</p>
4	<p>a) a copy of the existing Final MO</p> <p>b) a copy of the new Final MO to replace it</p> <p>c) a copy of the notice of appeal under paragraph 24 of Schedule 6 to the Act, against the making of the new Final MO.</p>
5	<p>a) a copy of the Interim MO</p> <p>AND</p> <p>b) a copy of the accounts kept by the LHA in accordance with Section 110(6) of the Act.</p>
6	a copy of the Final MO which contains the management scheme to which the application relates
7	<p>a) a copy of the relevant MO</p> <p>b) a statement giving details of the respective rights and liabilities (including ownership) of the persons interested in the furniture.</p>
8	a copy of the MO
9	<p>a) a copy of the MO, including any management scheme</p> <p>b) a copy of the notice served by the LHA under paragraph 7(2)(b) of Schedule 6 to the Act</p>

Continued.....

ANNEX 2: List of documents to be included with application (continued)

Application number	Document(s) to be included
10	<ul style="list-style-type: none"> a) a copy of the MO, including any management scheme b) a copy of the notice served by the LHA under paragraph 7(2)(b) of Schedule 6 to the Act a) A statement specifying each term to which objection is made, with reasons for the objection.
11	<ul style="list-style-type: none"> b) a copy of the MO, including any management scheme c) a copy of the notice served by the LHA under paragraph 7(2)(b) of Schedule 6 to the Act d) A statement of the matters in section 110(5) (which relates to payments of surplus rent etc.) relevant to that ground
12	<ul style="list-style-type: none"> a) a copy of the LHA's notices under paragraphs 9 and 11 of Schedule 6 to the Act b) a copy of the management note c) a copy of the notice served by the LHA under paragraph 7(2)(b) of Schedule 6 to the Act.
13	<ul style="list-style-type: none"> a) a copy of the LHA's notices under paragraphs 14 and 16 of Schedule 6 to the Act b) a copy of the management note c) a copy of the notice served by the LHA under paragraph 7(2)(b) of Schedule 6 to the Act.
14	<ul style="list-style-type: none"> a) a copy of the LHA's notices under paragraphs 17 and 19 of Schedule 6 to the Act b) a copy of the management note c) a copy of the notice served by the LHA under paragraph 7(2)(b) of Schedule 6 to the Act.
15	<ul style="list-style-type: none"> a) a copy of the LHA's notices under paragraphs 20 and 22 of Schedule 6 to the Act b) a copy of the management note c) a copy of the notice served by the LHA under paragraph 7(2)(b) of Schedule 6 to the Act.
16	<ul style="list-style-type: none"> a) a copy of the MO including any management scheme d) a copy of the LHA's notification of its decision to the third party in accordance with section 128 of the Act. e) A statement giving full details of: <ul style="list-style-type: none"> i. The rights in respect of which it is claimed that there has been interference in consequence of the MO ii. The amount of compensation claimed in respect of that interference.

NB: the "Regulations" are the Residential Property Tribunal Procedure (England) Regulations 2006

ANNEX 3: Addresses of RPTS Panel Offices

NORTHERN RENT ASSESSMENT PANEL

First Floor, 5 New York Street,
Manchester M1 4JB

Telephone: 0845 100 2614 or 0161 237 9491
Fax: 0161 237 3656

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 & 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: Cheshire, Cumbria, Durham, Lancashire, and Lincolnshire.

MIDLAND RENT ASSESSMENT PANEL

2nd Floor, Louisa House, 92-93 Edward Street,
Birmingham B1 2RA

Telephone: 0845 100 2615 or 0121 236 7837
Fax: 0121 236 9337

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 RENT ASSESSMENT PANEL

Unit C4, Quern House, Mill Court
Great Shelford, Cambridge CB22 5LD

Telephone: 0845 100 2616 or 0122 384 1524
Fax: 0122 384 3224

This office covers the following unitary authorities: 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 RENT ASSESSMENT PANEL

1st Floor, 1 Market Avenue,
Chichester, PO19 1JU

Telephone: 0845 100 2617 or 0124 377 9394
Fax: 0122 350 5116

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 RENT ASSESSMENT PANEL

10 Alfred Place,
London WC1E 7LR

Telephone: 020 7446 7700
Fax: 020 7637 1250

This office covers all the London boroughs.