

Schedule 3 - Notice of proposed gift form [The Mobile Homes (Selling and Gifting)(England) Regulations 2013] SI 2013/981

NOTICE OF PROPOSED GIFT FORM

(form to be completed by the occupier and given to the site owner –
For existing agreements only (see note (i))

To(*insert name of site owner*)

From(*insert name of occupier*)

Section 1

I am/ We are (*delete as appropriate*) the legal owner(s) of the mobile home at

.....
.....
.....
.....(*insert address of mobile home*)

which I am/ we are proposing to gift to

.....
.....
.....(*insert name of proposed occupier*)

who is my(*insert your relationship to the proposed occupier*)(**see note (ii)**).

I attach the following relevant evidence (*tick one or more as appropriate*) (see note (iii))

- a written declaration under oath, explaining the family relationship between the occupier and the proposed occupier []
- birth certificate or certificate of adoption []
- a certificate of marriage or civil partnership []

- other relevant evidence (please describe) []

.....
.....
.....

Section 2 (to be completed only if the site has rules on age restrictions, pets or vehicles)[See note (iv)]

(i) I have provided the proposed occupier with a copy of the rules.

(ii) The proposed occupier confirms that they have read and understood the rules (or have had them explained to them) and are able to comply with them.

(iii) Sites with rule(s) relating to the keeping of animals:

The proposed occupier does not intend to keep animals on the site / intends to keep the following animals on the site (*delete as appropriate*).

If the proposed occupier intends to keep animals, insert details of the type and number(s) of animal(s) and, where the animal is a dog, the breed:

.....
.....
.....
.....

(iv) Sites with rule(s) relating to the parking of vehicles on the site:

The proposed occupier intends to park / not to park (*delete as appropriate*) vehicles on the site.

.....
.....
.....
.....
.....

Give a description of the vehicles in question. Do not give the registration numbers

(v) Sites with rule(s) relating to the age of occupiers:

The proposed occupier intends that the following persons would occupy the mobile home as their only or main residence:

Name	Age
.....
.....
.....

Section 3 – Signature (see note (v))

Signed:
(the occupier)

Dated:

Signed:
(the proposed occupier)

Dated:

For the attention of the site owner

If you have any queries please let the occupier know as soon as possible. If you decide to apply to a tribunal for a refusal order you must make the application and must serve notice of the application on the occupier, within 21 days of receipt of this notice.

If the occupier does not receive notice of your application for a refusal order within the 21 day period, the occupier may proceed with the sale without consulting you further and the tribunal will not be able to consider your application.

Notes

- (i) An existing agreement is an agreement under section 1(1) of the Mobile Homes Act 1983 which was made on or before 25 May 2013 and which has not been assigned since that date. This form only needs to be completed for mobile homes being gifted under existing agreements. Where an agreement was made on or after 26 May 2013 or was made before that date but has been assigned on one or more occasions since 25 May 2013, the mobile home may be sold and the agreement assigned without the need to notify the site owner (see paragraph 8A(2) of Chapter 2 of Part 1 of Schedule 1 to the Mobile Homes Act 1983).
- (ii) In accordance with the definition in section 5 of the Mobile Homes Act 1983, a person is considered to be a member of another’s family if they are a spouse, civil partner, parent, grandparent, child, grandchild, brother, sister, uncle, aunt, nephew or niece, treating:

- any relationship by marriage or civil partnership as a relationship by blood, any relationship of the half blood as a relationship of the whole blood and the stepchild of any person as their child; and
- an illegitimate person as the legitimate child of his mother and reputed father; or if they live together as husband and wife or as if they were civil partners.

(iii) You need to provide relevant evidence to show that you are gifting the mobile home to a family member, as set out in paragraphs 8A and 8B of Chapter 2 of Part 1 of Schedule 1 to the Mobile Homes Act 1983. Regulation 6 lists the relevant evidence that is prescribed by the Secretary of State but any other satisfactory evidence that shows the person you propose to gift the mobile home to is a member of your family, will also meet the definition of relevant evidence.

(iv) Under regulation 7 of the Mobile Homes (Selling and Gifting) England Regulations 2013, the only grounds upon which an application for a refusal order may be made are that, if the proposed occupier were to become the occupier the proposed occupier or a person intending to reside with the proposed occupier would breach a pre-commencement rule or site rule:

- (a)** by reason of age,
- (b)** by keeping animals that are of a description specified in the rule,
- (c)** by parking vehicles on the site that are of a description specified in the rule,
- (d)** by parking a number of vehicles on the site in excess of the number specified in the rule.

(v) Before signing the form you must ensure that the information provided is (to the best of your knowledge and belief) truthful, accurate and up-to-date.