

Notice of proposed gift

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(s)]

From [insert name of occupier(s)]

Section 1

I am/we are the legal owner(s) of the mobile home at:

[insert name and address of mobile home]

Which I am/we are proposing to gift to:

[insert name of proposed occupier]

who is my/our [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: [tick as appropriate]

The proposed occupier **does not** intend to keep animals on the site

The proposed occupier **intends** to keep the following animals on the site

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

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

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

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

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

The proposed occupier confirms 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(s))

Dated

Signed (the proposed occupier(s))

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) As existing agreement is an agreement made before the commencement of section 48(1) of the Mobile Homes (Wales) Act 2013 which was made on or before 30 September 2014 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 1 October 2014 or was made before that date but has been assigned on one or more occasions since 30 September 2014, the mobile home may be sold and the agreement assigned without the need to notify the site owner (see paragraph 12(1) of Chapter 2 of Part 1 of Schedule 2 to the Mobile Homes (Wales) Act 2013).
- (ii) In accordance with the definition in section 55 of the Mobile Homes (Wales) Act 2013, a person is considered to be a member of a person's family:
 - the person's spouse or civil partner or any person who lives together with the person as a partner in an enduring family relationship,
 - the person's parents, grandparents, children and grandchildren (including any person who is in that relationship by virtue of a marriage or civil partnership or an enduring family relationship) and any other person treated by the person as a child of the person's family, and
 - the person's brothers, sisters, uncles, aunts, nephews and nieces (including any person who is in that relationship by virtue of a marriage or civil partnership or an enduring family relationship).
- (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 12 and 13 of Chapter 2 of Part 1 of Schedule 2 to the Mobile Homes (Wales) Act 2013. Regulation 6 lists the relevant evidence that is prescribed by the Welsh Ministers 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) (Wales) Regulations 2014, 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.