

## Notice to proposed occupier

### Buyer's Information Form (notice to proposed occupier)

(form to be completed by the seller and given to the proposed buyer)

To   
[insert name of proposed buyer]

From   
[insert name and address of seller]

### Section 1: Financial information

#### (i) Proposed sale price

The sale price of the mobile home is £   
[insert amount]

#### (ii) Amount of commission payable to the site owner

If you purchase the mobile home, you will be required to deduct the amount of £   
[insert amount]

from the sale price and pay this amount directly to the site owner's bank account following the completion of the sale and assignment of the agreement [see note (i)].

#### (iii) Pitch fee

The amount of the pitch fee payable to the site owner is £   
[insert amount]  
per week    month    quarter    year    [tick as appropriate]

The pitch fee is payable on   
[insert day/date payable]

The next pitch fee review date is   
[insert date]

The following services are included in the pitch fee:

## Arrears of pitch fee and/or of charges payable under the agreement

I have arrears      no arrears      [tick as appropriate] of pitch fees.

The amount of arrears is £  [insert outstanding amount]

covering the period  [insert start date] to  [insert end date]

I have entered into the following arrangement entered with the site owner to clear the arrears.

### (iv) Council tax

The council tax valuation band applicable to the mobile home is  [insert council tax valuation band]

### (v) Outstanding loans secured on mobile home

I am/we are the legal owners of the mobile home which I am/we are selling with vacant possession and can confirm there are no outstanding loans secured on the mobile home.

Signature(s):

## Section 2 – Information about the seller's agreement [see note (ii)]

This agreement was made / assigned to me [tick as appropriate] on  [insert date]

### Important Note

If the agreement was made on or after 1 October 2014 or was assigned to the seller on or after that date, the seller is not required to notify the site owner of their intention to sell the mobile home and assign the agreement.

If the agreement was made between the seller and site owner before 1 October 2014 or was assigned to the seller before that date, then if you and the seller decide to go ahead with the transaction, the seller will be required by law to notify the site owner of their intention to sell their mobile home and assign the agreement to you. The seller will also be required to provide the site owner with certain information about you which you will be required to verify by completing a 'notice of proposed sale' which the seller will send to the site owner. The site owner will have a 21 day period, beginning with the date when they received the notice of proposed sale, during which they may apply to a tribunal, on one of the grounds prescribed in regulation 7 of the Mobile Homes (Selling and Gifting) (Wales) Regulations 2014, for a refusal order to prevent the sale from going ahead.

In all cases however, you do not need to contact the site owner directly before completion of the sale of the mobile home. If you are contacted by the owner or on the owner's behalf, you do not need to provide any personal details or details of the proposed transaction at this stage. If you go ahead with the purchase, you will be obliged to complete the assignment in accordance with regulation 9 of and Schedule 4 to the Regulations. You will also need to notify the site owner of the sale of the mobile home and assignment of the agreement within 7 days of the date of assignment, by serving a notice of assignment in the form specified in Schedule 5 to the Regulations.

### Section 3 – Information about the site and site owner

(i) Name of the site owner(s):

[insert name(s)]

(ii) Address at which notices may be served on the site owner(s):

[insert site owner's address for service of notices if this has been supplied to you, or where this address has not been supplied, any other known address of the site owner]

(iii) Local authority responsible for the area in which the site is situated

[insert name and address of local authority]

Details of any legal proceedings in respect of any matters relating to the mobile home, the agreement or the site to which you are a party and which have been issued or commenced but have not been disposed of by the tribunal or court or withdrawn.

Name(s)

Signed

Date

## Documents

### Important notes

The seller is required to provide the information set out in this form and the documents listed below to the proposed buyer at least 28 days before the completion of the sale of the mobile home and assignment of the agreement.

If the proposed buyer consents to the information and documents being provided less than 28 days before the date of completion of the sale and assignment of the agreement, the proposed buyer must set this out in writing, letting the seller know their chosen date by which the information and documents is to be provided.

I enclose the following documents for your information (place a tick against each document supplied)

- (i) A copy of my agreement (including implied terms) and written statement
- (ii) A copy of any pre-commencement rules which are in force
- (iii) A copy of any site rules which are in force
- (iv) Documentary evidence of charges payable to **the site owner** for:
  - Gas
  - Electricity
  - Water
  - Sewerage
  - Use of garage, parking space or outbuilding
  - Any other services

**(Details should be included, if applicable, of when these charges are payable and when they are next due for review)**

- (v) Documentary evidence of charges payable to a **third party** for:
  - Gas
  - Electricity
  - Water
  - Sewerage
  - Use of garage, parking space or outbuilding
  - Any other services

**(Details should be included, if applicable, of when these charges are payable and when they are next due for review)**

- (vi) A copy of any valid warranty for the mobile home
- (vii) Details of any survey of the mobile home, base or pitch which you have had carried out at any time during the 12 months preceding the date of this notice

Where you are unable to provide a document listed above, please give an explanation below as to why this is the case:

### **Notes**

- (i) Under the Mobile Homes (Wales) Act 2013 the maximum amount of commission that the site owner can require you to pay is 10% of the purchase price. Under regulation 10 of the Mobile Homes (Selling and Gifting) (Wales) Regulations 2014 you are required to pay the commission to the site owner within 7 days of receipt of the site owner's bank details, following notification to the site owner of completion of the sale and assignment of the agreement.
- (ii) Agreement means an agreement under section 48(1) of the Mobile Homes (Wales) Act 2013 and includes the written statement provided to the seller under section 49(1) of the Mobile Homes (Wales) Act 2013 where the seller has one.

### **Warning to seller:**

If you fail to comply with the duty to provide this information you may be liable for a civil claim for breach of your statutory duty, in accordance with paragraph 11(6) of Part 1 of Schedule 2 to the Mobile Homes (Wales) Act 2013.