

Gift of a Caravan – Residential Occupiers

A RESIDENTIAL OCCUPIER HAS THE RIGHT TO GIFT THEIR RESIDENTIAL CARAVAN ON THE SITE TO ANOTHER FAMILY MEMBER, BUT CERTAIN CONDITIONS AND RESTRICTIONS WILL APPLY.

What Residential Occupiers need to be aware of

During their lifetime a Residential Occupier can only give their residential caravan, and assign (pass on) their Agreement to a member of their family (wife or husband, civil partner, parent, grandparent, child, grandchild, brother, sister, uncle, aunt, nephew, or niece).

The gift of the residential caravan must be to a person approved by the Site Owner. However, they cannot unreasonably withhold that approval. If approval is given no conditions can be attached to that approval.

If a Residential Occupier considers that this approval is being unreasonably withheld by the Site Owner, they have the right to apply to the court for the issue of an order declaring that is the case so that the gift to the family member can proceed.

What Caravan Park/Site Owners need to be aware of

There is no legal requirement for the Residential Occupier to inform the Site Owner of their intention to gift their caravan. However, they must seek the Site Owner's approval of the person to whom the caravan is being gifted, in writing, before proceeding.

Although a Site Owner has the right to approve the person to whom the residential caravan is being gifted on their caravan park, they must not withhold that approval unreasonably.

When the Site Owner receives a request from the Residential Occupier for approval of the person to whom their caravan is being gifted, they must, within 28 days from the date on which the request was received, approve that person unless it is unreasonable to do so.

The Site Owner must serve the Residential Occupier with a notice of the decision whether to approve the person to whom the caravan is being gifted and, if they withhold approval, then they must specify, in writing, the reasons for withholding it. If approval is given no conditions can be attached to that approval.

What Caravan Park/Site Owners need to be aware of

A Site Owner is not entitled to receive commission if the Residential Occupier gifts their residential caravan to a family member.

WHO CAN I CONTACT FOR ADVICE?

Consumerline (Department for the Economy) **0300 123 6262**

Private Rented Branch (Department for Communities) email: **prs@communities-ni.gov.uk**

WHERE CAN I FIND MORE DETAILED INFORMATION OR ADVICE?

Caravans Act (Northern Ireland) 2011

This fact sheet is not intended to be an Authoritative Statement of the Law.