

Residential Occupiers' and Site Owners' Obligations

THE CARAVANS ACT (NI) 2011 DETAILS THE OBLIGATIONS AND REQUIREMENTS WHICH A RESIDENTIAL OCCUPIER MUST ADHERE TO WHEN LIVING ON A RESIDENTIAL CARAVAN PARK.

What Residential Occupiers need to be aware of

A Residential Occupier needs to be aware of the content of their Written Agreement which will contain the mandatory 'implied terms' linked to the legislative provisions within the Caravans Act (NI) 2011 as well as any 'express terms' which are non-legislative terms agreed with the Site Owner.

A Residential Occupier must pay their Pitch Fee and any other charges payable under their Agreement such as gas, electricity, water, sewerage etc when due.

A Residential Occupier must keep their home in a sound state of repair.

A Residential Occupier must maintain the outside of their residential caravan and keep their pitch in a clean and tidy condition. This includes the maintenance of all fences and outbuildings belonging to, or enjoyed with, the pitch and the caravan.

If a Residential Occupier seeks reimbursement for any costs or expenses, they must, if requested by the Site Owner, provide documentary evidence of the costs and expenses claimed.

A Site Owner must provide Residential Occupiers with a name and address in Northern Ireland where legal or other notices can be served, or correspondence sent. If this has not been done or the name and address of the Site Owner is not clear, then the pitch fee does not fall due until this is in place.

What Caravan Park/Site Owners need to be aware of

If requested by the Residential Occupier, a Site Owner must provide accurate written details about the Residential Occupier's pitch such as the location of the pitch on the site and the size of the pitch and base on which the caravan stands. These details must include measurements from fixed points. It is good practice for this to be provided free of charge.

At the Residential Occupier's request, the Site Owner must provide documentary evidence to support and explain any charges such as Pitch Fee increases or utility costs, or any other costs or expenses payable by the Residential Occupier to the Site Owner under the terms of the Agreement.

This must be provided to the Residential Occupier free of charge.

The Site Owner is responsible for repairing the base on which the caravan is situated.

The Site Owner must maintain any services such as gas, electric, water or sewerage etc. which they supply to the residential caravan.

The Site Owner must maintain, in a clean and tidy condition, the parts of the site which are not the responsibility of the Residential Occupier.

The Site Owner must consult individual Residential Occupiers on any improvements to the site – in particular if they intend to take them into account at the next Pitch Fee review.

The Site Owner must consult any Qualifying Residents' Association (QRA) about the operation and management or improvements to the site that may affect the residents either directly or indirectly.

A Site Owner must give 28 days' written notice to the Residential Occupier when consulting about proposed improvements to the site. The written notice must outline the proposed improvements and benefits, how the site (and, if appropriate, the Pitch Fee) will be affected, and how Residential Occupiers can make their views known.

A Site Owner must take the Residential Occupiers' representations into account before undertaking any improvements.

A Site Owner must provide Residential Occupiers with a name and address in Northern Ireland where legal or other notices can be served, or correspondence sent. During any interim transitional period, such as a change of site ownership, there should be clear communication issued to site residents on the new owner's details, the date on which the new Site Owner becomes responsible for the site, and clarification on where and when due payments should be redirected to.

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.