

Your Legal Questions

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Q I own a mobile home and wish to sell it. I have found a buyer who is willing to purchase it but the site owner refuses to approve him. I am worried that I will lose the sale. What can I do?

A A recent report of the House of Commons Communities and Local Government Committee has identified serious malpractice in the park (also known as mobile) home industry and the most common complaint from residents is about site owners making it difficult to sell their homes.

The practice known as "sale blocking" is where a site owner effectively prevents a resident from selling his or her home on the open market by refusing to approve the prospective buyer. A site owner can then force the seller to sell to him at a reduced price and then sell the existing home or a brand new home placed on the pitch at a profit. Park homes can sell at prices as much as £300,000.00 so it is easy to see the incentive for abuse as, say, 10 blocked sales may generate enough revenue to clear the site owner's mortgage.

The problem is so wide spread that the recommendation to the Government is to remove the site owner's power to approve buyers of park homes and in addition for the Residential Property Tribunal (RPT) to have the power to award damages in cases where sales have been unlawfully blocked.

Unfortunately, these are still only recommendations so your only remedy at the moment is to apply to the RPT for a declaration that the site owner has acted unreasonably in refusing his approval. Unfortunately, even if you are successful in your application to the RPT you may have lost your buyer before you get the decision and there is presently no power to award compensation in such cases. Hopefully the Government will act upon the recommendations quickly to remedy this problem.

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