
Changes to legislation: Housing Act 2004, Paragraph 12 is up to date with all changes known to be in force on or before 08 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 13

RESIDENTIAL PROPERTY TRIBUNALS: PROCEDURE

Costs

- 12 (1) A tribunal may determine that a party to proceedings before it is to pay the costs incurred by another party in connection with the proceedings in any circumstances falling within sub-paragraph (2).
- (2) The circumstances are where—
- (a) he has failed to comply with an order made by the tribunal;
 - (b) in accordance with regulations made by virtue of paragraph 5(4), the tribunal dismisses, or allows, the whole or part of an application or appeal by reason of his failure to comply with a requirement imposed by regulations made by virtue of paragraph 5;
 - (c) in accordance with regulations made by virtue of paragraph 9, the tribunal dismisses the whole or part of an application or appeal made by him to the tribunal; or
 - (d) he has, in the opinion of the tribunal, acted frivolously, vexatiously, abusively, disruptively or otherwise unreasonably in connection with the proceedings.
- (3) The amount which a party to proceedings may be ordered to pay in the proceedings by a determination under this paragraph must not exceed—
- (a) £500 [^{F1}or, in the case of an application to a tribunal under the Mobile Homes Act 1983, £5,000], or
 - (b) such other amount as may be specified in procedure regulations.
- (4) A person may not be required to pay costs incurred by another person in connection with proceedings before a tribunal, except—
- (a) by a determination under this paragraph, or
 - (b) in accordance with provision made by any enactment other than this paragraph.

Textual Amendments

- F1** Words in Sch. 13 para. 12(3)(a) inserted (30.4.2011) by [The Mobile Homes Act 1983 \(Jurisdiction of Residential Property Tribunals\) \(England\) Order 2011 \(S.I. 2011/1005\)](#) , arts. 1(1) , **4(3)(d)** and said words inserted (21.3.2012) by [The Mobile Homes Act 1983 \(Jurisdiction of Residential Property Tribunals\) \(Wales\) Order 2012 \(S.I. 2012/899\)](#), arts. 1(1), **4(3)(d)** (with art. 5)

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Commencement Information

- II** Sch. 13 para. 12 wholly in force at 16.6.2006; Sch. 13 para. 12 in force for certain purposes at Royal Assent see s. 270(2)(b); Sch. 13 para. 12 in force for E. at 4.7.2005 by [S.I. 2005/1729](#) , [art. 2\(b\)](#) (subject to [art. 3](#)); Sch. 13 para. 12 in force for W. at 16.6.2006 by [S.I. 2006/1535](#) , [art. 2\(a\)](#) (with Sch.)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act savings and transitional provisions for amendments by S.I. 2022/1166 by [S.I. 2022/1172 Regulations](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 66(1A) inserted by [2016 c. 22 s. 125\(3\)\(a\)](#)
- s. 66(3A)(3B) inserted by [2016 c. 22 s. 125\(3\)\(c\)](#)
- s. 89(1A) inserted by [2016 c. 22 s. 125\(6\)\(a\)](#)
- s. 89(3A)(3B) inserted by [2016 c. 22 s. 125\(6\)\(c\)](#)
- s. 139(7A)(7B) inserted by [2016 c. 22 s. 127\(3\)](#)