Independent Park Home Advisory Service (2021) Ltd

Guidance – Site Maintenance

Under **Chapter 1(22) of the Mobile Homes Act 1983** implied terms, it places a duty on site owners to maintain the site

Site owners are legally responsible for keeping the site in a **good state of repair**, including a duty to maintain communal areas and services. The site owner must:

- Maintain roads, footpaths, lighting, drainage, and communal areas.
- Keep utilities infrastructure (water, electricity, gas, sewage) in proper working order.
- Maintain facilities provided for residents' use (e.g., gates, fences, communal buildings).

If the site owner fails to undertake maintenance, you should firstly raise it in writing to the site owner stating:

- The maintenance issue
- How it breaches their obligations
- A reasonable timescale to fix it

This creates a clear record if you need to escalate later.

Next, you should contact the Local council who have a **statutory duty to enforce the site licence conditions**. If something on the site breaks a **site licence condition** (e.g., roads, lighting, drainage, electrical safety), the council **must** investigate. Councils can issue:

- **Compliance notices**
- **Financial penalties**
- **Prohibition notices**

If the owner still does nothing, the council can carry out the work and bill the owner.

If you have a **Qualifying Residents' Association (QRA)**, they have additional rights, including:

- Consulting with the site owner
- Making formal written representations
- Requesting meetings

This sometimes pressures the owner to act.

As a final step you can apply to a First Tier Tribunal (Property Chamber). If the lack of maintenance is:

- Causing deterioration to your home
- Breaking implied terms
- Affecting pitch fee reasonableness
- Causing loss or inconvenience

They can order:

- The owner to carry out specified repairs
- Reduction of the pitch fee if poor maintenance affects site standards
- A declaration of breach of obligations

Tribunals increasingly use this route where councils are slow to act.

You could also consider a pitch fee challenge. Under the law, pitch fees must reflect:

- Condition of the site
- Level of site services

If facilities or maintenance decline, you may argue at pitch fee review that n**o increase is justified** or that a **reduction is appropriate**

This is a recognised ground in pitch fee disputes.

It is important to note that **you are NOT responsible for site infrastructure.** The owner cannot shift maintenance costs to you outside pitch fees.

You do NOT have to contribute extra for repairs. Any demand for extra payments outside pitch fee reviews is unlawful.

The owner cannot retaliate. The Act protects you from harassment or unfair treatment if you raise complaints.

Correct November 2025