

## Land Registration Division

### Property Chamber

#### F.A.Q.

##### *Communicating with us*

**Q.** How can I communicate with the Tribunal about my case?

**A.** Until further notice, please communicate with the Tribunal by email only. Emails should be sent to [landregistration@justice.gov.uk](mailto:landregistration@justice.gov.uk) and **must** have the Tribunal's reference number (beginning with "REF" or "REC" at the beginning of the email subject box). You **must copy** to the other party or parties **any email** you send to the Tribunal unless they do not have an email address.

**Q.** Can I telephone the Tribunal?

**A.** While the office of the Tribunal remains closed, it is not possible for you to communicate with the Tribunal by telephone.

**Q.** Will the Tribunal answer letters sent by post or dx?

**A.** While the office of the Tribunal remains closed, the Tribunal has no access to letters or other documents sent by post or by dx and so is unable to answer them. If you have sent a letter and not received a reply, please email the Tribunal. You must copy your email to the other party or parties.

##### *New Cases*

**Q.** I understand that an application I made to HM Land Registry or an application to HM Land Registry to which I have objected has been referred to the Tribunal. I have not yet heard anything from the Tribunal. When will I hear something from the Tribunal?

**A.** The Tribunal's offices are closed until further notice and the Tribunal has no access to post delivered to the offices. There will be cases that were sent to the Tribunal by HM Land Registry after the offices closed or received shortly before the offices closed but not processed before the offices closed. We are unable to tell you at present when such a case reference will be processed and when the Tribunal will be able to write to you about it.

##### *Directions About Court Proceedings*

**Q.** I have received notice from the Tribunal that the Tribunal intends to make a direction under Land Registration Act 2002 s. 110(1) for the commencement of court proceedings but I have heard nothing further from the Tribunal. What should I do?

**A.** Please email the Tribunal, giving the case reference number and attaching a copy of the notice you received from the Tribunal. You must copy your email to the other party or parties. The Tribunal will then consider the matter and reply to you.

**Q.** I have received an order from the Tribunal requiring me to commence court proceedings by a specified date. I am unable to meet the deadline because of matters related to the pandemic. What should I do?

**A.** Please email the Tribunal and apply for an extension of time for commencing the proceedings. You should give the case reference number, attach a copy of the case summary and any statements of case (if you have them) and a copy of the order, and explain why you require the extension of time. You must copy your email to the other party or parties.

**Q.** I have received a letter from the Tribunal stating that the Case Summary indicates a party has already commenced court proceedings and that the Tribunal is minded to adjourn the Tribunal proceedings. I have heard nothing further from the Tribunal. What should I do?

**A.** Please email the Tribunal with a copy of the Case Summary, the letter from the Tribunal and any details you have of the court proceedings. You must copy your email to the other party or parties. The Tribunal will then consider the matter and reply to you.

**Q.** My case in the Tribunal has been stayed pending the outcome of court proceedings. The court proceedings have now come to an end. What should I do?

**A.** Please email the Tribunal explaining what has happened, attaching a copy of the notice from the Tribunal staying the proceedings and a copy of the final order of the court. You must copy your email to the other party or parties.

#### *Compliance with Directions*

**Q.** Is my case stayed because of the coronavirus pandemic?

**A.** Proceedings before the Tribunal have **not** been stayed generally. If your case is stayed, you will be notified of this by email.

**Q.** Do I need to comply with directions and time limits made by the Tribunal in my case?

**A.** Yes. The Tribunal expects you to comply with any directions made by it within the time specified for compliance unless and until a stay or an extension of time for compliance has been granted by the Tribunal. If you need an extension of time, you should apply by email to the Tribunal, setting out your reasons for applying and copying your email to all other parties. You must copy your email to the other party or parties.

#### *Applying for Directions*

**Q.** I wish to make an application for a specific direction concerning preparation of my case. How should I apply and how will the application be considered?

**A.** You should apply by email, copying your email to the other party or parties. The Tribunal will consider your application and make a decision on that application, after seeking any further information it may require. As is usual in proceedings before the Tribunal, it will not normally be necessary for there to be any form of hearing before the Tribunal determines

the application for directions. If a hearing to consider your application for directions is necessary, the Tribunal will consider holding a remote hearing by telephone or video conferencing.

#### *Witness Summonses*

**Q.** My case is listed for hearing. I am concerned that a witness may not attend. What should I do?

**A.** Due to the uncertainty caused by the coronavirus pandemic, the Tribunal is not currently minded to issue witness summonses requiring witnesses to attend a hearing. If you consider a witness summons is necessary, you should apply to the Tribunal by email four weeks prior to the date your hearing is listed to begin. Please set out in your email what attempts you have made to obtain the agreement of the witness to attend, the details of reply you have received from the witness, and any relevant information you have as to the health and personal circumstances of the witness (for example, whether the witness is likely to be required to self-isolate). You must copy your email to the other party or parties.

#### *Hearings*

**Q.** I have heard from the Tribunal that the hearing of my case has been postponed. How long will I have to wait for a hearing?

**A.** We cannot be certain at present when your hearing will take place. Our aim is to re-list cases postponed from March and April in the period August to October 2020 and cases postponed from May in the period September to November 2020.

**Q.** Can my case be decided on the papers without a hearing?

**A.** The Tribunal will consider whether a case can be determined on the papers. If your case involves a material dispute of fact, it is unlikely to be possible for the Tribunal to make a decision on the papers alone.

**Q.** Can my case be heard by video conference?

**A.** The Tribunal is working towards being able to hear cases by video-conferencing. This will not be suitable for all cases. For example, it will not be possible where a site visit by the judge is essential for a just determination of the dispute. You will be informed by the Tribunal if it intends to hear your case by video conferencing.

#### *Hearings listed from 1<sup>st</sup> June 2020 onwards*

**Q.** My case is listed for hearing on a date after 31<sup>st</sup> May 2020. When will I know whether a face to face hearing is to go ahead on that date or is to be postponed or replaced by a video hearing?

**A.** The Tribunal will inform you at least 28 days prior to the hearing date if the hearing is to be postponed or held by video conferencing. Unless you hear to the contrary, you should assume that the hearing will go ahead on the date and at the place set out in the letter from the Tribunal previously sent to you.

### *Consent Orders*

**Q.** I have reached agreement with the other party to settle the dispute between us. Can the Tribunal make a final order by consent while the office is closed?

**A.** Yes, provided that both parties have an email address to which the Tribunal can send the final order.

### *Final Orders and Decisions*

**Q.** My case has been heard and I am waiting for the Decision. How will I receive the Decision and Order?

**A.** The Tribunal is not at present able to send out paper copies of its Decisions and Orders. A copy of the Decision and Order, each signed electronically by the judge, will be sent to you by email.

**Q.** Will a copy of the final Order made in my case be sent to HM Land Registry?

**A.** Yes. The Tribunal has made arrangements with HM Land Registry to enable it to send orders to HM Land Registry electronically while the Tribunal's offices remain closed.

### *Appeals*

**Q.** I have received a copy of the Decision and Order in my case from the Tribunal and would like to appeal. How should I apply for permission to appeal?

**A.** You should apply for permission to appeal by email to the Tribunal. You must attach a digital copy of the Decision and Order to your email seeking permission to appeal.

**Q.** What is the time limit for applying for permission to appeal?

**A.** The time limit remains as set out in Rule 52 of the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013. You must send your email applying for permission to appeal to the Tribunal so that it is received within 28 days after the Tribunal sent you the Decision. You must copy your email to the other party or parties.

**Q.** Due to the effects of the coronavirus pandemic, I shall not be able to apply for permission to appeal within 28 days of the Tribunal sending me its Decision. What should I do?

**A.** You may apply to the Tribunal by email for an extension of time for applying for permission to appeal. You must set out in your email why you require an extension and what grounds of appeal you consider you may have. You must copy your email to the other party or parties.

15 April 2020