

FINAL NOTICE

SECTION 87 CONSUMER RIGHTS ACT 2015 (“The Act”)

This Notice is issued by		Council
Date of Notice		Reference
<p>On [] the Council, as the enforcement authority, issued you with a Notice of Intent to impose a financial penalty. The Council is now issuing you with a Final Notice imposing a penalty for the following reasons:</p> <p>(a) You did not make representations or objections with in the time period specified in the Notice of Intent</p> <p>(b) After considering your representations we have decided to [confirm] or [vary] the monetary penalty</p>		
<p>To</p> <p style="text-align: right; margin-top: 50px;">Name and address of letting /property management agent</p>		
<p>Name of Enforcement Officer</p>		
<p>Of</p> <p style="text-align: right; margin-top: 50px;">Name and Address of enforcement authority</p>		
<p>I am an authorised officer of the Council, the enforcement authority, and am satisfied you have committed a breach of Section 83(2) or 83(3) of the Consumer Rights Act 2015 by</p> <p style="text-align: right; margin-top: 50px;">Details of breach (including date of breach)</p>		

YOU ARE REQUIRED, TO EITHER

MAKE PAYMENT (SECTION A BELOW)

(i) Within 28 days beginning with the day after this Final Notice is served pay the Council the monetary penalty of £

OR

APPEAL TO THE FIRST TIER TRIBUNAL (SECTION B BELOW)

NOTE References to the First Tier Tribunal in Wales are to be substituted for the Residential Property Tribunal

SECTION A

The monetary penalty is to be paid to the Council, quoting the reference on the front of this document, by

Post:

Phone:

Web:

SECTION B

You can appeal to the First Tier Tribunal within the timeframes required for payment. The Tribunal will consider your representations in respect of the penalty and details of the breach. They can confirm or vary the monetary penalty, or can quash the penalty.

You can only appeal on the following grounds:-

- (a) the decision to impose a financial penalty was based on an error of fact,
- (b) the decision was wrong in law,
- (c) the amount of the financial penalty is unreasonable, or
- (d) the decision was unreasonable for any other reason

An appeal to the First Tier Tribunal is a re-hearing of the authority's decision but may be determined having regard to matters of which the authority was unaware. The final notice or part that is appealed will be suspended until the appeal is finally determined or withdrawn. This means we cannot pursue you for payment until the appeal has been heard and decided

IF YOU DO NOT PAY THE PENALTY OR THE APPEAL IS UPHeld

We will enforce the sums due as a debt and obtain a County Court Judgement. Such a judgement can not only have a detrimental affect on your credit rating but will also activate recovery proceedings which may involve bailiffs attending your premises. We will not instigate enforcement action until either the time for paying the monetary penalty has lapsed or on the day after a First Tier Tribunal has, if applicable, upheld or varied the amount.