

Section 39 (1) of the Agricultural Holdings Act 1986

**Application for Direction Giving Entitlement to Tenancy of
Agricultural Holding**

This Application form is also available in Welsh. Please contact the Tribunal for a Welsh version of this form.

Section 1 – Information about the Applicant

Full Name	
Address (including Postcode)	
Telephone Number	
Email Address	

Language Preference

The Agricultural Land Tribunal welcomes receiving correspondence in Welsh or English. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding. The Tribunal also welcomes phone calls in Welsh or English.

You may submit forms, documents and make written representations to the Tribunal in Welsh or English.

Please inform the Tribunal of your language preference by answering the following questions:

Please indicate your language preference:	
Written correspondence?	Welsh / English (please delete as appropriate)
Verbal communication?	Welsh / English (please delete as appropriate)
Do you wish to speak Welsh in any legal proceedings that may result from this Application i.e. Tribunal hearing or pre-trial review?	Yes / No (please delete as appropriate)

Section 2 – Information about the Respondent Landlord

Full Name	
Address (including Postcode)	
Telephone Number	
Email Address	

Section 3 – Representative Details

Is there anyone who will be acting on your behalf?

Yes No

If yes, please provide details below.

Full Name	
Address (including Postcode)	
Telephone Number	
Email Address	
Profession	

The Tribunal should deliver notices concerning the application to the above representative instead of to me.

Section 4 – About the Tenancy

The application arises on the death of _____ who died on _____

The Tenancy was:

- granted before 12 July 1984
- obtained on or after 12 July 1984 by virtue of a direction of the Agricultural Land Tribunal under section 39 or 53 of the 1986 Act
- granted on or after 12 July 1984 following a direction of the Agricultural Land Tribunal under section 39 of the 1986 Act but commenced before the relevant time for the purpose of section 45 of that Act
- granted on or after 12 July 1984 by a written contract of tenancy indicating that the succession provisions in Part IV of the 1986 Act should apply
- granted on or after 12 July 1984 to a person who, immediately before that date, was a tenant of the holding or of any agricultural holding which comprised the whole or a substantial part of the land comprised in the holding

Section 5 – About the Holding

Name of Holding:	
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Name of Holding and full details of land and buildings including Ordnance Survey number. Please enclose a plan of the Holding of scale 1/10000 or larger.

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Annual Rent	£
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Was the Holding during the deceased's tenancy subject to a written Tenancy Agreement?

Yes No

If yes please disclose a copy of the Tenancy Agreement.

Does the holding form part of a larger agricultural unit?

Yes No

If yes, please provide details of the agricultural unit and disclose a plan of 1/10000 or larger and Ordnance Survey numbers. below.

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Has the landlord(s) served a notice to quit within Case G in respect of the holding?

Yes No

If Yes, please disclose a copy of the Notice to Quit

Section 6 – About the Applicant

I was born on _____

I am the sole person validly designated by the deceased tenant of the holding in their Will as the person he/she wished to succeed him/her as tenant of the holding

Yes No

My relationship with the deceased tenant was _____

I was treated by the deceased tenant as a child of the family in relation to his/her marriage/civil Partnership to _____ on _____ (date)

Section 7 – Livelihood

I claim to satisfy the livelihood test in section 36 (3) (a) to the full extent.

Yes No

Please disclose all evidence relied on including farm accounts and other financial information. Use the box below to detail any financial information not covered by the documents disclosed and/or any further explanation required.

The livelihood test is satisfied to a material extent and I also apply, under section 41 to be treated as an eligible person

Yes No

Please see above and set out in the box below all facts and matters relied upon:

During the 7 years prior to the deceased's death I had other source(s) of livelihood

Yes No

If yes, please provide details below and disclosed all relevant documents.

Section 8 – Suitability

I claim to be a suitable person to receive the tenancy of the holding because:

(please set out all facts and matters on which the Application relies in support of the case on suitability to be the future tenant of the Holding and disclose any documents, for example details of qualifications obtained, relied upon).

Section 9 – Joint Land

The following agricultural land is occupied by me, my spouse/civil partner or a company under my control, the control of my spouse/civil partner or our joint control as owner-occupier/ tenant/ licensee whether alone or jointly with others

Please provide a plan of scale 1/10000 or larger together with Ordnance Survey field numbers and acreages.

I request that a net annual income assessment be completed

Yes No

Section 10 – Notifications

I have notified the following about my Application to the Tribunal:

The landlord Yes No

Any other person eligible to make an application to succeed to the tenancy of the holding

Yes No

The personal representative(s) of the deceased tenant, or (if there are no personal representatives) the person(s) most eligible or likely to apply to be the personal representative of the deceased tenant or the person(s) administering his/her estate

Yes No

Please provide full details of notifications made

Section 11 – Statement of Truth

I believe (the Applicant believes) that the facts stated in this document are true.

I am duly authorised by the Applicant to sign this statement

Full Name	
Name of applicant's Solicitor/Agents firm, if applicable	
Date	
Signature	