

Your Address:

420 Example Street

Worcester, WR11 4XYZ

Email: example@example.com

Date: February 31st 2024

To:

Accounts Department
ABC Property Management Ltd
45 Parkside Crescent
Sampletown, ST4 9ZZ

LETTER BEFORE ACTION

Re: Unlawful Parking Charges — Residential Allocated Bay

Dear Sir/Madam,

I write to you regarding the above matter, concerning multiple Parking Charge Notices (PCNs) issued in relation to my allocated residential parking space at Flat 3, Parkside Apartments, Sampletown.

As you are aware, I am a tenant at the above address, and my tenancy agreement confirms my entitlement to exclusive use of parking bay number 12. Despite my entitlement, between January and March 2024, I have received a series of parking charges totalling £560. These charges were issued during a period when my physical parking permit was temporarily lost, and while I had informed your management office of this and requested a replacement, none was provided in a timely manner.

I dispute the validity of these charges on the following grounds:

1. Pre-existing Contractual Rights:

My tenancy agreement provides for the use of the parking space. Your reliance on the absence of a displayed permit does not override my contractual entitlement.

2. Failure to Mitigate Loss:

I informed you promptly of the missing permit and requested a replacement. You failed to act, resulting in avoidable escalation of charges.

3. **Disproportionate and Unfair Terms:**

The scale of these charges is excessive and arguably penal in nature, contrary to the principles established in *ParkingEye Ltd v Beavis* [2015] UKSC 67.

4. **No Genuine Pre-Estimate of Loss:**

You have suffered no financial loss from my continued use of the space allocated to my tenancy.

Given the above, I request that you:

- Immediately cancel all outstanding parking charge notices issued in error.
- Confirm in writing that no further enforcement action will be pursued in relation to this matter.

If I do not receive a satisfactory response within **14 days** of the date of this letter, I reserve the right to escalate this matter. I am prepared to issue proceedings without further notice, seeking declaratory relief, the cancellation of all charges, and any associated costs I have incurred as a result of your actions.

I also draw your attention to the Civil Procedure Rules (Pre-Action Conduct) which require parties to act reasonably and proportionately before commencing proceedings.

Please respond in writing to the address or email provided above.

Yours faithfully,

John Smith.

[Client Signature (optional for real use)]