

**Case Number:
CHI/00HG/NMV/2003/**

**RESIDENTIAL PROPERTY TRIBUNAL SERVICE
SOUTHERN RENT ASSESSMENT PANEL AND TRIBUNAL
LEASEHOLD VALUATION TRIBUNAL**

Re: 168 Grenville Road Plymouth

Between:	Elaine Rickard Clare Allum S Thompson C Body	Applicant
	G & O Properties (London) Ltd	Respondent
Before:	Mr A L Strowger (Chairman) Mr W H Gater FRICS IRRV Mr R D Yeomans	

Tenants' Application for the appointment of a Manager by the Tribunal under section 24 (1) of the Landlord and Tenant Act 1987

HEARING

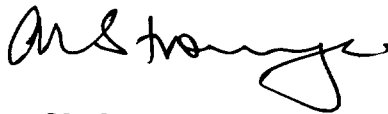
- 1 The Hearing on 15th October 2003 at Virginia House Settlement Plymouth Tribunal was attended by the Applicant Claire Allum and Mrs Bloodworth, mother and representative of Applicant, Elaine Rickard and also by Mr David Parsons, proposed Manager, following a site inspection.
- 2 The Tribunal heard evidence from Mr Parsons. He has been in property management for the last 20 years and confirmed that he was familiar with the RICS Code. He had Professional Indemnity insurance arranged through a specialised firm for the NAEA. He acknowledged that problems of getting a response from the Landlord could lead to difficulties in managing the property but he would investigate and deal with the property insurance as a matter of priority. He would look at establishing a sinking or reserve fund to provide for future repairs and renewals. Mr Parsons advised that his management fee would be £200 per annum for the property, plus accountancy fees. The fee for supervising building works would be a matter of negotiation at the time.
- 3 The Tribunal pointed out that the Order of the previous Tribunal dated 21st May 2001, appointing Mr John Palmer as Manager, remained effective until

discharged or varied by the order of another Tribunal, notwithstanding that Mr Palmer had purported to resign.

ORDER OF THE TRIBUNAL

- 4 Mr John Palmer is hereby discharged from appointment of Manager of the property under the Order of 21st May 2001.
- 5 The previous Order be varied and Mr David J Parsons of 106 North Hill, Plymouth PL4 8HW be appointed Manager of 168 Grenville Road, St Judes, Plymouth, Devon PL4 9OD from 15th October 2003 at an annual fee of £50 per flat, until further order.
- 6 The Manager shall manage the property in accordance with:
 - (i) The respective obligations of the Lessor and Lessee contained in the leases of the respective flats and, in particular, but without prejudice to the generality of the foregoing, with regard to the repair, decoration and provision of services to, and insurance of, the property; and
 - (ii) In accordance with the duties of a manager set out in the Service Charge residential Management Code of Practice ("the Code") published by the Royal Institution of Chartered Surveyors and approved by the Secretary of State pursuant to section 87 of the Leasehold Reform Housing and Urban Development Act 1993
- 7 The Manager shall receive all sums whether by way of ground rent, insurance premiums, payment of service charges or otherwise arising and due under the said leases.
- 8 The Manager shall account to the freeholder for the time being of the property for the payment of ground rent received by him and shall apply the remaining amount by him (other than those representing his fees as specified above) in the performance of the covenants of the Lessor contained in the said leases.
- 9 The Manager shall forthwith effect appropriate insurance in accordance with the terms of the respective leases unless satisfied that such insurance has been effected and shall in any event supply the Lessees with full details of the insurance cover.

Signed



A.L. Strowger, Chairman

Dated: 27th October 2003