

In the Leasehold Valuation Tribunal
Ref: LON/OOAS/LSC/2006/0353

Applicant	Ms Laura Lahert
Respondent Represented by	Rotary Southern Limited Mr M Hymers Mr B Bull
Premises	Flat 4 Rotary House Breakspear Road, Ruislip, Middlesex HA4 7ST

Tribunal
Ms E. Samupfonda
Mr M Mathews
Mrs S Justice

1. There were 3 applications before the Tribunal; an application under section 27A Landlord and Tenant Act 1985 (the Act) for a determination of the reasonableness and liability to pay service charges for the service charge year 2005/6, an application under section 20C limiting the recovery of the cost of these proceedings through the service charge account and an application for the reimbursement of the applicant's application and hearing fees. The applicant is a tenant and long leasehold owner of flat 4 which is one of four flats on the top floor in a 3 storey office building. The respondent is the landlord and manages the building.
2. A pre trial review was held on 11th October 2006 and Directions for a hearing made.
3. The hearing of this application took place on 29th November 2006. Ms Lahert attended the hearing. Mr Hymers and Mr Bull represented the respondent. The Tribunal and the parties agreed that the issues to be determined were the costs of: Redecoration £3655@25%=£913.75, Repairs and upgrades to lighting; materials £747.04@25%=£186.76 and Labour 1 pair 3 days £1015.20@25%=£253.80. Both parties submitted detailed statements of case. We have therefore only referred to the salient points in this decision. This Tribunal does not have jurisdiction to consider complaints about noise, tampering with mail and hazards left in the common parts.
4. The Tribunal inspected the property after the hearing. It was found to be a 3 storey office building with commercial premises on the ground and first floor and residential premises on the top floor. It was a 1970's building of concrete frame, brick facing and a flat roof. It was situated on a busy main road. We inspected the common parts and noted the condition of the windows, decoration, walls, ceilings, woodwork and flooring. We also noted the recently installed emergency lighting and fire alarms.