

**SOUTHERN RENT ASSESSMENT PANEL  
& LEASEHOLD VALUATION TRIBUNAL**

In the matter of sections 21-24 of the Landlord & Tenant Act 1987

Re: North Grove House, Grove Road North Southsea ("the property")

Case Number L55/03/H

Upon the application of Mr J C Ford

**ORDER**

Upon hearing Mr J C Ford, Mr M Wylie for Majestic Properties Limited (the freeholder), Mr Knight of flat 1, Mr Sargeson of flat 4 and Mrs Gilpin of flat 6 upon Mr Ford's application to be discharged from his appointment as manager and receiver of the property

**IT IS ORDERED:**

1. That Mrs Gilpin shall provide Mr Ford within twenty one days after the date of this order with:
  - a. two quotations for the redecoration of the room that she states was damaged as a result of the escape of water from the flat above it and
  - b. a written statement of the circumstances in which the damage arose

in order to enable him to investigate the possibility that the cost of redecoration may be the subject of an insurance claim on the insurers of the property, and if so advised to pursue the same with a view to procuring that the work of redecoration be done.
2. That Mr Ford shall procure that an account shall be taken of the monies both received and expended by him and of monies claimed by him but unpaid. This is to be done in order to establish what is the fair contribution to be made on behalf of those flats (that is to say nos 2,3,5,8,9 and 11) now owned or in course of acquisition by Mr Wylie, his wife or associates towards the work carried out by Mr Ford, towards which they have not presently contributed.
3. Majestic Properties Limited shall within twenty one days after the said account has been certified by qualified accountants procure the payment to Mr Ford such sum as is found to be due in respect of those flats, of the legal expenses incurred by Mr Ford to date and a fair share pro rata of the cost of preparation of the account in accordance with the assurances given by Mr Wylie on its behalf to the tribunal.
4. Mr Ford shall then repay to the other lessees such sum as has been overpaid by them in respect of any works done to date, to the intent that all the lessees of flats in the building shall as nearly as possible have paid the same towards the cost of such works

after making proper allowance for any other sums properly due by any of them to him.

5. Mr Ford is to notify the tribunal when
  - a. such repayments have been made and
  - b. he has dealt appropriately with Mrs Gilpin's insurance claim

whereupon the tribunal, upon being satisfied on those points, will confirm that he is discharged from his appointment from that time. The parties are at liberty to refer back to the tribunal any dispute that may arise over the question whether or not the insurance claim has been dealt with appropriately at any time before the discharge becomes effective.

Dated 31<sup>st</sup> October 2003

(signed) *R P LONG*

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Chairman