

Residential
Property
TRIBUNAL SERVICE

**RESIDENTIAL PROPERTY TRIBUNAL SERVICE
IN THE LEASEHOLD VALUATION TRIBUNAL
LONDON RENT ASSESSMENT PANEL**

LANDLORD AND TENANT ACT 1985 as amended – Section S27A

Ref: LON/00AZ/LSC/2006/0397

Property: 23 Micheldever Road, SE128LX

Applicant: Groundrent Management Services

Respondents: (1) Mr R Campkin,
(2) Ms C Holtgen,
(3) Jia Lie & Jie Wei,
(4) Miss E Sawyer

Appearances:

For the Applicant
Mr Sutton of Ground Rent Management
(who was unable to attend)

For the Respondents:
Mr R Campkin & Miss E Sawyer

Date of Application: 10 November 2006

Directions: 8 December 2006

Inspection: 18 January 2007

Date of Hearing: 18 January 2007

Tribunal Members: Mr P L Leighton LLB (Hons)
Mr B Collins BSc FRICS
Miss T Downie MSc

Date of Decision: 18 January 2007

INTRODUCTION

1. By an application dated 10 November 2006, the Applicant's, Ground Rent Management Services, issued proceedings for a determination under Section 27A3 of the Landlord and Tenant Act 1985 as amended in respect of building works to be carried out at the subject premises, 23 Micheldever Road, London, SE12 8LX in the year 2006/7.
2. Directions were given on 8 December 2006 for the conduct of the proceedings and the matter came before the Tribunal on 18 January 2007.
3. At the hearing, Ms Sawyer of Flat D and Mr Campkin of Flat A appeared on behalf of the Respondents. Ms Holtgen of Flat D, who had originally expressed opposition to the proposals, indicated by an email which was sent to Mr Sutton that she no longer raised an objection and did not appear at the proceedings. The leaseholders of Flat C, Messrs Lie and Wei did not appear but the Tribunal was informed that they did not object in principle to the works being carried out although they had reservations as to the cost.
4. Mr Sutton of Ground Rent Management Services representing the freeholder was unable to attend the hearing owing to a delay on the railway system. The Tribunal nonetheless after consultation with Mr Sutton and with the parties present agreed to continue with the hearing and to continue the documents before it and to reach a determination.

Inspection

5. The premises in question consist of a late Victorian property divided into four self-contained flats, the Tribunal inspected the property on 18 January and found that it was a substantial property in reasonable condition although in need of some decoration and repairs, in particular, repairs were required to the roof area. The extent of the repairs, in particular to the main roof were not known until the roofers go on to the roof to carry out a full inspection.
6. The landlords have made proposals for the carrying out of the works and served a Notice under Section 20 of the Act on 4 May 2006 under which they allowed a period up to 9 June 2006 for consultation and representations by

the leaseholders. Various representations by the leaseholders. were made which were considered by the landlord and ultimately the matter went out to tender to three contractors although in fact tenders were only received from two. One was a Mr Warrell whose estimate amounted to £6,650 for the general works and £5,000 for the roof works which included works in relation to using a tensile torch. The Tribunal understands that that work was then deleted from the estimate so that the net figure for Mr Warrell's estimate amounted to £10,150.00. In addition to that sum, there is a sum of £1,002.50 for surveying fees to be incurred. The total cost of the works therefore is £11,152.50 which amounts to a contribution of £2,788.13 for each flat. Mr Worrell is not registered for VAT and this clearly represents a saving to the Respondents.

7. The other estimate which was received from Cedarbrook Projects amounted to over £14,400 inclusive of VAT and the landlord has accepted the lowest tender from Mr Worrell

The Tribunal's Decision

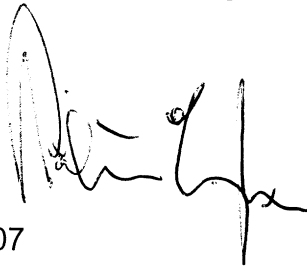
8. The Tribunal is satisfied that the landlord has complied fully with the provisions of Section 20 of the Act and that the figures represented in the estimate of Mr Worrell are reasonable. The figures for the roof may be an under or over estimate and will not be known until an inspection of the roof has been carried out
9. However, the Tribunal considers that the provisional sum is probably reasonable and if following the completion of the works the final sum is thought to be excessive there is nothing to prevent any of the Respondents making a further application to the Tribunal under Section 27A(1) in respect of the expenditure actually incurred. It is hoped that in the light of the delay in some of the lessees agreeing to the figures it will be possible to hold the current estimate which is now over 7 months old. It is not impossible that there may be some small adjustment to the figures to represent the inflation in building costs over that period. It is to be hoped that if this occurs it will not

result in any further delay. It would not in the view of the Tribunal necessitate serving a new Section 20 notice and going through the procedure again.

10. As indicated the objection from Flat B has now been withdrawn and Flat C has decided to take no part in the proceedings whilst Flat A and B have indicated their agreement. The Tribunal therefore approves the figures submitted in Mr Worrell's estimate and grants the application.

Chairman Peter Leighton

Date 22nd January 2007

A handwritten signature in black ink, appearing to be 'Peter Leighton', written over the printed name.