

LON/00AM/LSC/2005/0155

**DECISION OF THE LEASEHOLD VALUATION TRIBUNAL ON APPLICATIONS**  
**UNDER THE LANDLORD AND TENANT ACT 1985 SECTION 27A**  
**AS AMENDED**

**Applicants:** Monckton and Company

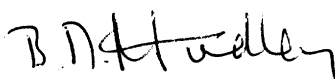
**Respondent:** Lessees of Amhurst Court

**Re:** Amhurst Court, Amhurst Park, London N16 5AX

**Members of the Residential Property Tribunal Service:**

Mrs B M Hindley LLB  
Mr M A Mathews FRICS

1. This is an application under Section 27 A(3) of the Landlord and Tenant Act 1985, as amended, for a determination as to whether, if costs were incurred in respect of services, repairs, or management of a specified description, they would be reasonable.
2. On 22 February 2005 the applicants served a notice under Section 20 of the Landlord and Tenant Act 1985 stating their intention to carry out external redecoration, repairs and associated works.
3. By 29 March 2005, the end of the consultation period, no observations had been received from the respondents.
4. On 7 June 2005 the applicants served notification of estimates. They had obtained six tenders and on their notice they showed the two lowest and informed leaseholders that all estimates could be inspected at their offices. They requested observations by 7 July 2005.
5. Three leaseholders responded. One made observations on the works and received a response from the applicants. Two others asked for copies of the estimates to be sent. These were sent to the one leaseholder who agreed to pay for their provision but nothing further was heard from either.
6. On 27 July 2005 an oral pre trial hearing was held attended only by Mr J. Salter, representing the applicant managing agents.
7. On 19 September 2005 a paper hearing took place.
8. From their consideration of the papers the Tribunal was satisfied that paragraph 3 (1) of the copy lease made available to the Tribunal enabled the applicants to carry out the proposed works.
9. The Tribunal was also satisfied that the applicants had complied with the consultation requirements of Schedule 4 Part 2 of the Service Charges (Consultation Requirements) (England) Regulations 2003.
10. The Tribunal noted that the applicants had obtained from the consultant surveyor, MacConvilles, a tender report and analysis of the six tenders received.
11. Accordingly, the Tribunal determines that were the specified works carried out the identified costs would be reasonable. However, the Tribunal would wish to highlight that because the accepted estimate included provisional quantities for some of the repair works, together with a contingency sum, the final cost could vary from the estimate.
12. Further, the Tribunal notes that whilst the notice of intention to carry out works included the provision 'for the foreseeable future' of daytime and night time security guards, the cost implications of the provision of such a service were not identified in the documents available to the Tribunal. It should be noted that no determination of either the reasonableness or payability of this cost, should it be incurred, is included in this determination.

Chairman 

Date 21/9/05