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LVT 96/5

LEASEHOLD VALUATION TRIBUNAL
OF THE
WEST MIDLAND RENT ASSESSMENT PANEL

Ref: M/LRC 395

DECISION OF LEASEHOLD VALUATION TRIBUNAL

*ON AN APPLICATION UNDER SECTION 21(1) (ba)
OF THE LEASEHOLD REFORM ACT 1967*

Applicant: Mr D.L. Southall & Mrs S.J. Southall

Respondent: Mr M. Razzaq

Re: 10 Mills Avenue, Sutton Coldfield, B76 1FW

Date of Tenants Notice: 01st November 2001

Application to Tribunal dated: 06th March 2002

Heard at: The Panel Office

On: Thursday 30th May 2002

Appearances:

For the Applicant: Mr A.W. Brunt

For the Respondent: Not Represented

Members of the Leasehold Valuation Tribunal:

J.R. Bettinson LLD (Chairman)
M. Williams FRICS
N. Jukes

Date of Tribunals decision: 24 JUN 2002

MIDLAND LEASEHOLD VALUATION TRIBUNAL

BACKGROUND

This was an application by the Tenants, Mr. and Mrs. D.L. Southall to determine the costs of their Landlord, Mr. M. Razzaq, payable by them pursuant to Sec 9(4) of the Leasehold Reform Act 1967 in connection with enfranchisement of their property No. 11 Mills Avenue Sutton Coldfield B76 1FW

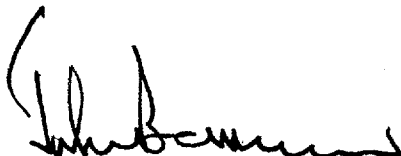
HEARING

Mr. A.W. Brunt FRICS appeared for the applicants. The Landlord was not represented. Mr. Brunt submitted that in accordance with the Tribunal's present practice in such matters a reasonable legal fee for the conveyancing involved might be £225 (plus VAT if applicable) and £8 for Land Registry Office Copies (the title being known to be registered)

So far as a valuation fee was concerned, it was not clear whether this had been undertaken in response to his clients' Notice given on 1st November 2001 but since he had received a fax from Mr. G.A. Boardman MRICS ON 23RD January 2002 indicating that he had been instructed and the LVT had not published the receipt of the Application (made on 17th January 2002) until letters went out on 25th January it might be unreasonable to assume that no valuation had been made prior to the Landlord becoming aware of the Application. However, it was clear that there had been no internal inspection of the property.

DECISION

We determine for the purposes of this Application that the Tenants should pay the Landlord's reasonable costs in the sums of £225 for legal work and £150 for a valuation in both instances plus vat if applicable plus the £8 Land Registry fee for office copies.



JOHN BETTINSON
CHAIRMAN

24. June 2002