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**LEASEHOLD VALUATION TRIBUNAL
OF THE
NORTHERN RENT ASSESSMENT COMMITTEE**

Decision of the Tribunal on application under Section 21(1)(ba) of the Leasehold Reform Act 1967 for the determination of the reasonable costs payable under Section 9(4) of the Act and Schedule 22 part 1(5) of the Housing Act 1980

NAME OF APPLICANTS: Mr C B & Mrs D M Britton

NAME OF RESPONDENT: Fontaine Freeholds Ltd

ATTENDING: Mr C B Britton

PUT BEFORE THE TRIBUNAL ON : 7 November, 2002

MEMBERS OF THE TRIBUNAL: Mrs E Thornton-Firkin
Mr J W Shaw FRICS JP

DATE OF TRIBUNALS DECISION: 7 November, 2002

**LEASEHOLD VALUATION TRIBUNAL FOR THE NORTHERN RENT ASSESSMENT PANEL
AREA**

Application for determination of Landlords Costs of Section 21(1) (ba) Leasehold Reform Act 1967

REFERENCE NO: LVT/103

Address: 34 Lynnwood Drive Rochdale Lancashire OL11 SYX

1. This is a reference by Mr C B & Mrs D M Britton the leaseholders and prospective purchasers of the freehold of 34 Lynnwood Drive following a determination of a Leasehold Valuation Tribunal of the price to be paid for such freehold dated 5 August 2002.
2. The Hearing was attended by Mr C B Britton who referred to the £275 asked by the freeholder for legal fees. He had asked for the costs to be itemised but had not received a reply. With regard to the costs under Section 9(4)(a) and 9(4)(e) Mr Britton had provided to the Freeholder proof of his right to acquire the Freehold by sworn statement and to his knowledge no valuation of the house had been carried out by the freeholder.
3. No correspondence or evidence was received from the freeholders generally or specifically in response to the Tribunal's request for further information as to professional charges and costs payable by the buyer under section 9(4) of the Leasehold Reform Act 1967.
4. The Tribunal was left to resolve the costs, without anything other than copy correspondence from freeholder to leaseholder quoting a figure, for legal fees. There was no evidence that the freeholder had incurred surveyors/valuer's costs in dealing with the original application. It was evident that the freeholders were dealing with a familiar and Registered Title no: LA 234270.
5. The Tribunal is of the view that the cost pertinent to a transfer of a single plot within a Registered Title well known to the office/practitioner involved would be small. No costs are proven in respect of valuation fees. In these circumstances the Tribunal fixed costs in this matter at £150 to include all fees, including the freeholder's Land Registration Fees, and incidental payments together with VAT if and as appropriate.

Signed:

Elizabeth Thornton Firkin

Chairman: Mrs E Thornton- Firkin

27th November 2002