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LON/00BD/LVM/2006/0001

RESIDENTIAL PROPERTY TRIBUNAL SERVICE

**DECISION OF LEASEHOLD VALUATION TRIBUNAL for the
LONDON RENT ASSESSMENT PANEL**

LANDLORD AND TENANT ACT 1987 Section 24

Property: Winstonrose Court, 15 Sheendale Road,
Richmond, Surrey

Applicants: Miss P Gifford (Flat 1)
Ms C Warrender (Flat 2)
Ms S Matchett (Flat 3)
Dr R Heywood (Flat 4)
The Leprosy Mission Int. (Flat 5)

Applicants' Representative: Mr J Graham

Respondent: Mr E Casey, Partan Limited

Tribunal: Mrs H Bowers BSc (Econ) MRICS MSc.

Date of the Tribunal's Decision: 31st March 2006

Decision made without a hearing in accordance with regulation 13 of the
Leasehold Valuation Tribunal (Procedure) (England) Regulations 2003.

Background.

1. This is an application dated 14th February 2006 by five of the leaseholders of Winstonrose Court Richmond (the subject property) in relation to an order for the appointment of a manager that was dated 18th April 2001.
2. On 18th April 2001, Mr Meek FRICS was appointed as Manager and Receiver of the subject property with effect from 1st April 2001. The original appointment was for a period of five years and is due to terminate on 31st March 2006.
3. The Applicants are currently pursuing the collective enfranchisement of the subject property, but this has not been concluded. Accordingly this application has been made to vary the original order to extend Mr Meek's appointment by two years or until such time as the nominee purchaser acquires the freehold interest in the property.
4. The five Applicants have each stated in writing that they wish to be joined in the application in seeking an extension of Mr Meek's appointment. There are six flats in the subject property, but there has been no communication from the sixth leaseholder.
5. The Tribunal was provided with a copy of a letter to Mr Casey of Partan Company Limited, the Respondent. This letter explained that the Applicants were seeking a variation of the original order. In covering letter from Mr Graham it was stated that there had been a telephone conversation between Mr Graham and Mr Casey and that Mr Casey had no complaint about the manner in which Mr Meek had managed the building. Mr Casey explained that he was unwilling to provide a written statement on this matter until he spoken to his wife. There has been no direct communication from Mr Casey.
6. There is a letter from Mr Meek dated 14th March 2006, in which he states that he confirms that he has no objection to the application for the extension of his appointment. He does indicate that his fee would need to be amended to £200 per unit plus VAT per annum.

Decision.

7. As there appears to be no objections to the extension of Mr Meek's appointment, the Tribunal determine that the original order should be varied to extend Mr Meek's appointment for two years. Additionally the proposed increase in Mr Meek's fees of £200 per unit plus VAT per annum is acceptable. The Variation is attached to this decision as an appendix.

Chairman:



Date:

31/3/06

LON/00BD/LVM/2006/0001

RESIDENTIAL PROPERTY TRIBUNAL SERVICE

**ORDER OF THE LEASEHOLD VALUATION TRIBUNAL MADE UNDER
SECTION 24(9) OF THE LANDLORD AND TENANT ACT 1987**

Property: Winstonrose Court, 15 Sheendale Road, Richmond, Surrey

**The Order for the appointment of a manager under Section 24 of the
Landlord and Tenant Act 1987, made on the 18th April 2001 is, on the
application dated 14th February 2006, hereby varied as follows:**

1. That J W Meek FRICS of The Business Development Centre, 7-15 Greatorex Street, London, E1 5NF (the Manager) be appointed Manager and Receiver of the property for a further period of two years with effect from 1st April 2006.
2. That the remuneration specified in paragraph three of the original order be varied from "£900 per annum exclusive of VAT calculated on a unit cost basis of one hundred and fifty pounds per unit per annum exclusive of VAT" to "£1,200 per annum exclusive of VAT calculated on a unit cost basis of two hundred pounds per unit per annum exclusive of VAT".

Chairman:



Date:

31/3/06