

60

LON/00AJ/LBC/2007/0002

**THE RESIDENTIAL PROPERTY TRIBUNAL SERVICE**

**DETERMINATION OF THE LONDON LEASEHOLD VALUATION  
TRIBUNAL ON AN APPLICATION UNDER S168(4) OF THE  
COMMONHOLD AND LEASEHOLD REFORM ACT 2002**

**Property: 71 Western Road, Southall, Middlesex UB2 5HQ**

**Applicant: Santokh Singh Bassi (landlord)**

**Respondents: Ashok Verma and Sudesh Verma (tenants)**

**Determination without an oral hearing according to the procedure in Regulation  
13 of the Leasehold Valuation Tribunals (Procedure) (England) Regulations  
2003**

**Tribunal: Lady Wilson  
Mrs E Flint FRICS IRRV**

**Date of the tribunal's decision: 25 April 2007**

1. The landlord has applied to the tribunal under section 168(4) of the Commonhold and Leasehold Reform Act 2002 for a determination that a breach of a covenant or condition in the tenants' lease has occurred. None of the parties has asked for an oral hearing and we are satisfied that the application is fit for determination on the basis of written representations according to the procedure set out in regulation 13 of the Leasehold Valuation Tribunals (Procedure) England) Regulations 2003.

2. The tenants hold a lease of the lower maisonette at 71 Western Avenue, Southall. By clause 2(14) of the lease the tenants covenant not to make structural alterations to the property without the landlord's written consent, such consent not to be unreasonably withheld, and by clause 2(15) they covenant not to carry on a business upon the property without the landlord's consent, not to be unreasonably withheld, and to use it as a private dwellinghouse in the occupation of one family.

3. The landlord says that in breach of these covenants the tenants have, without his consent, erected a plate glass shop front and have removed internal partition walls so as to convert the property into commercial premises where they carry on the business of providing printing, design and copying services. The application is supported by a photograph which clearly shows the shop front.

4. By a letter dated 2 April 2007 EDC Lord & Co, solicitors, say that they have been instructed by the tenants and that they have received the application and that the tenants will not object to a determination that the alleged breaches of covenant have occurred.

5. In these circumstances we are satisfied that the determination should be made.

  
CHAIRMAN.....

**DATE: 25 April 2007**