

**Ref LON/OOBF/OC9/2008/0059
LEASEHOLD VALUATION TRIBUNAL FOR THE LONDON RENT
ASSESSMENT PANEL**

**DECISION OF THE LEASEHOLD VALUATION TRIBUNAL ON AN
APPLICATION UNDER SECTION 60 OF THE LEASEHOLD REFORM
HOUSING AND URBAN DEVELOPMENT ACT 1993**

Property: Flat 2, 8 Park Hill, Carshalton, Surry, SM5 3RU

Applicants: Michael John Hazell

Represented by: Pro-Leagle

Respondent: Rolvendale Limited

Represented by: Housing and Property Law Partnership

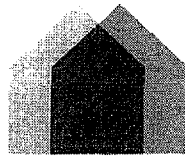
Application date: 21st August 2008

Hearing date: 15th October 2008

Members of the Leasehold Valuation Tribunal:

**Mrs. B. M. Hindley LLB
Mr. T.N Johnson FRICS**

**Date of Tribunal's
decision: 20th October 2008**



**Residential
Property**
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**LONDON RENT ASSESSMENT PANEL
LEASEHOLD VALUATION TRIBUNAL**

Case Reference: LON/OOBF/OC9/2008/0059

**THE LEASEHOLD VALUATION TRIBUNAL ON AN APPLICATION UNDER
SECTION 60 of the Leasehold Reform Housing and Urban Development
Act 1993.**

Applicant: Michael Hazell

Respondent: Rolvendale Limited (in liquidation)

Premises: Flat 2, 8 Park Hill, Carshalton, SM5 3RU

Date of Application: 21 August 2008

Solicitors for the Applicant Pro- Leagle

Solicitors for the Respondent HPLP Solicitors

**Leasehold Valuation Tribunal: Mrs B. M. Hindley LL.B
Mr T N Johnson FRICS**

Date of Tribunal's Determination: 20 October 2008

1. This is an application under Section 60 of the Leasehold Reform Housing and Urban Development Act 1993 for a determination of the costs payable in respect of a lease extension.
2. The parties agreed all terms apart from the costs.
3. The respondent's solicitor claimed £1,873. 20p based on an hourly rate of £220 in connection with 7 hours and 12 minutes in dealing with the lease extension, plus £12 for land registry fees. In addition there was a claim for surveyor's fees in the sum of £881 25p inclusive of VAT.
4. The applicant's solicitor claimed that the hourly rate was excessive for the solicitor involved with only 3 years PQE. It should have been £150 - £175 per hour.. Additionally, they considered that the case was straightforward and an hourly rate of £150 - 175 would be more appropriate.
5. They further contended that much of the time spent was excessive and should be reduced to 2 hours 6 minutes, with some of the claimed costs not being recoverable under the Act, and that the surveyor's fees should be reduced to £587.50p inclusive of VAT.
6. The Tribunal accepts that under the Lord Chancellor's guidelines the respondent solicitor's hourly charge out rate would appear to be £180 having under 4 years PQE.
7. The Tribunal notes that the solicitors are in agreement that preparing the draft lease, checking draft lease and writing to tenant's solicitor took one hour. This leaves, by the applicant's calculation, only one hour and 6 minutes for everything else which the Tribunal does not accept to be a reasonable time for dealing with work of this nature. The Tribunal considers that a further four hours would not be an unreasonable time to spend on this matter.
8. With regard to the surveyor's fees the Tribunal considers the fee of £881.25p inclusive of VAT which has been paid to be reasonable.
9. Accordingly the Tribunal determines the costs payable to be £900 plus VAT and £881.25p inclusive of VAT, plus disbursements of £6, making a total of £1063.50p.
10. In making this determination the Tribunal has had regard to Section 33(2) of the Act.

Chairman

B. D. Hadley

Date

20/10/08