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HM COURTS & TRIBUNALS SERVICE

RESIDENTIAL PROPERTY TRIBUNAL SERVICE
SOUTHERN RENT ASSESSMENT AND
LEASEHOLD VALUATION TRIBUNAL

Case No. CHI/29UD/LSC/2012/0043

**Property: 141 Griffin Court, Black Eagle Drive Northfleet, Gravesend, Kent
DA11 9AP**

Between:

**Mr A E Brooks c/o Bassets Solicitors
c/o Mr Tom Allan
("the Applicant")**

And

**Bellwinch Home Ltd c/o Phoenix Parc Management Co Ltd
c/o PDC Legal**

("the Respondents")

**Members of the Tribunal: Mr S Lal LLM (Barrister) Chairman
Mr R Athow FRICS MIRPM**

Date of the Hearing: 2nd July 2012 & 18th October 2012

**IN THE MATTER OF AN APPLICATION UNDER SECTION 27A OF THE
LANDLORD AND TENANT ACT 1985.**

Preliminary

1. This matter comes before the Tribunal for the second time, the hearing on the 2nd July 2012 having been adjourned in the interests of justice, as one of the parties had not been served with the other sides bundle.
2. The Tribunal inspected the subject premises on the morning of the hearing listed on 2nd July 2012. The Tribunal made an internal and external inspection and noted evidence of water ingress in the ceiling of the subject premises. The Tribunal inspected the subject premises again at the adjourned hearing date of 18th October 2012 and the subject premises were broadly in the same condition.

3. The Tribunal convened at 11:00 am at Chatham Magistrates Court. Mr Tom Allan represented the Applicant in person and Mr Purvis, Counsel, represented the Respondent. Miss Claire Gibson, Head of Collection for RMG as well as Mr Tilly from RMG, accompanied him.
4. At the outset of the hearing and in view of the contents of the respective Bundles submitted by both sides as to the issues in dispute, the Tribunal agreed to allow the parties time to see whether settlement could be reached.
5. Having been given sufficient time the parties agreed to settle the matter on the following terms.

“ It is agreed between the parties that the Applicant, Mr Andrew Brook, shall pay to the Respondent, Phoenix Park Management Company Limited equal monthly instalments of £365.28 for twelve months, to commence on 15th November 2012 and conclude on 15th October 2013

The above payments will bring the Applicant, Mr Andrew Brooks, up to date on all arrears for rent and service charges owed to the Respondent until the conclusion of the service charge year ending 31st May 2013

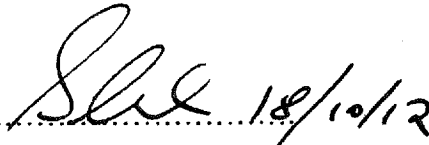
For the avoidance of doubt, the Respondent without prejudice has thereby agreed to waive all claims to administration fees and legal costs associated with any recovery or proceedings for the service charges up to the year ending 31st May 2013.

The Applicant, Mr Andrew Brooks, agrees that his right to challenge the service charges for the service charge periods up to the year ending 31st May 2013 or to issue proceedings in respect of these charges have also been waived.

The parties shall be at liberty to apply in order to enforce the terms of this agreement.”

6. The Tribunal notes the terms of the settlement above. It notes that Mr Allan on behalf of Mr Brooks withdrew his concurrent application to the LVT and this decision will be communicated to Dartford County Court.
7. The LVT makes no other order.

CHAIRMAN
Mr S. Lal


18/10/12