



**HM Courts  
& Tribunals  
Service**

**LEASEHOLD VALUATION TRIBUNAL**

**DECISION OF THE LEASEHOLD VALUATION TRIBUNAL**

**LANDLORD AND TENANT ACT 1985  
SECTION 27A (1)**

**Property:** 93 Victoria Mill, Houldsworth Street, Stockport SHK5 6AR

**Case Number:** MAN/00BS/LSC/2010/0082

**Applicant:** Houldsworth Village Management Company Limited

**Respondent:** Keith Barton

**Chairman:** Mr G C Freeman  
Mr T. J. Vincent MRICS

**Date of Hearing:** 2nd July 2012

- 1 This is the written decision confirming the oral decision given at the re-convened hearing of this matter on 2<sup>nd</sup> July 2012 at the offices of the Tribunal, 5 New York Street, Manchester M1 4 JB. The Applicant was represented by Ms Lucy Walsh of Trowers and Hamlins, Solicitors. Mr Barton appeared in person.
2. The Applicant produced a copy of an agreement signed by the Respondent and dated 12<sup>th</sup> April 2012, together with supporting emails between the parties. The Tribunal is satisfied that the parties have reached a settlement of the application as evidenced by the above.
3. At the hearing, the Respondent sought to resile from that agreement, claiming that the Applicant is insolvent, and that had he known this, he would not have entered into the agreement.
4. It is not part of the Tribunal's jurisdiction to rule on the solvency or otherwise of a party. It is the Tribunal's jurisdiction, subject to sub-section 27(A)(4) of the Act, to decide to whom, by whom, and when, a sum which is the reasonable service charge for the property, is to be paid. Sub-section 27(A)(4)

provides that the Tribunal's jurisdiction does not extend to any matter which has been agreed by the tenant. The Tribunal has found that the service charge which is the subject of the application has been so agreed and it cannot therefore consider the matter further.



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Geoffrey C. Freeman  
Chairman