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Residential
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LONDON RENT ASSESSMENT PANEL

**DECISION OF THE LEASEHOLD VALUATION TRIBUNAL ON A
TRANSFER FROM WILLESDEN COUNTY COURT CASE NO 2QT34400
PURSUANT TO PARAGRAPH 3 SCHEDULE 12 OF THE COMMONHOLD
AND LEASEHOLD REFORM ACT 2002 AND ON AN APPLICATION
UNDER SECTION 27A OF LANDLORD AND TENANT ACT 1985**

Case Reference:
LON/00AE/LSC/2012/0594
Premises: Flat B
8 Oxford Road London
NW6 5SL

Applicant(s):	Genesis Housing Association Ltd
Representative:	In House Leasehold Services
Respondent(s):	Ms Yvonne Dozie
Representative:	In person
Date court transfer received:	5 September 2012
Appearance for Applicant(s):	No appearance
Appearance for Respondent(s):	In person
Leasehold Valuation Tribunal:	Mr Adrian Jack, Mr Hugh Geddes RIBA
Date of decision	24 th April 2013

PROCEDURAL

1. The Applicant seeks (and following a transfer from the county court the Tribunal is required to make) a determination under Section 27A of the Landlord and Tenant Act 1985 as to whether service charges are payable.
2. The service charge year runs from 1 April to 31 March. The years in dispute are 1 April 2004 to 22 March 2012. The claim in the County Court for £3484.42 includes ground rent and interest on unpaid sums due under the lease. The Tribunal has no jurisdiction in respect of these matters.
3. The Tribunal gave directions on 9th October 2012, which included directions for the landlord to serve evidence and produce bundles. The landlord ignored these directions. As a result, when the matter was called on for hearing on 24th April 2013, the Tribunal had no evidence before it.
4. The landlord did not appear at the hearing and the Tribunal had inquiries made by telephone. The landlord said that the person dealing with the matter had left the organisation. The landlord made no request for an adjournment. The Tribunal was satisfied that the landlord had been duly notified of the hearing in the matter and accordingly proceeded to determine the matter.

DECISION

5. In the absence of any evidence from the landlord the Tribunal determines that nothing is owed in respect of service charges in the years in dispute.
6. The tenant made no application for costs before the Tribunal. The costs in the County Court are a matter for the County Court.

DETERMINATION

- The Tribunal determines that the tenant owes the landlord nothing in respect of service charges in the years in dispute.
- The case shall be transferred back to the Willesden County Court for final disposal.

Adrian Jack

Adrian Jack, chairman 24th April 2013