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**FIRST –TIER TRIBUNAL
PROPERTY CHAMBER
(RESIDENTIAL PROPERTY)**

Case Reference: CHI/21UD/LSC/2013/0052

Property: Flat 3 4 Terrace Road, St Leonards on Sea TN37 6BN

Applicant: 4 TERRACE ROAD LIMITED
Representative: SLC Solicitors

Respondent: MRS A K BAILEY

Representative: Hart Reade Solicitors

Type of Application: Determination of whether service and administration charges are payable pursuant to section 27A Landlord and Tenant Act 1985 & schedule 11 Commonhold & Leasehold Reform Act 2002

Tribunal Members: Judge Tildesley OBE

Date of Decision 4 October 2013

DECISION BY CONSENT

DECISION

1. On 10 May 2013 District Judge Lusty directed that the claim be transferred forthwith to the Tribunal as it related to service charges.
2. The parties have now reached an agreement and seek a consent order from the Tribunal disposing of the proceedings before it.
3. The Tribunal approves the consent order as proposed by the parties which is in the following terms:
 - (1) The Respondent agrees to the current service charge percentage allocated to it of 12.10 per cent
 - (2) The Respondent will pay the sum of £8001.10 for the major works and redecoration as well as £1,374.99 towards the fire, health and safety works. Payment is to be made within 21 days of a valid service charge demand being sent to the Respondent. The Applicant acknowledges that a valid demand has not yet been sent.
 - (3) The Applicant agrees to waive the administration charge dated 14 September 2012 in the sum of £168.00.
 - (4) The Applicant agrees to waive interest incurred on the above sums.
 - (5) The matter be transferred to the Small Claims Court for a determination on whether the Applicant can recover its legal costs of this action against the Respondent pursuant to section 146 (3) of the Law of Property act 1925, such determination be listed for a hearing on the first open date with a time estimate of 1½ hours