



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

Case reference : LON/00BB/OCE/2014/0282

Property : 100 Gurney Road, London E15 1SL

Applicants : Fatemah Amidi and Mehdi Ardalan
("the tenants")

Representative : Attwells LLP, solicitors

Respondent : Kiran Kumar

Representative : Nationwide Surveyors Ltd

Type of application : To determine the price and other
terms of acquisition

Tribunal members : Angus Andrew
Mrs E Flint DMS FRICS IRRV

Date of decision : 26 May 2015

DECISION

Decision

1. The draft transfer annexed is approved subject to the following amendments:-
 - a. The transfer must contain a statement that it is executed for the purpose of Chapter 1 of Part 1 of the Leasehold Reform, Housing and Urban Development Act 1993 (“the Act”); and
 - b. The transfer is to be with limited title guarantee; and
 - c. It must record the agreed premium of £30,000.

Reasons for our decision

2. The decision is supplemental to that issued on 15 April 2015 (“the previous decision”) and should be read in conjunction with it. By letter of 23 April 2015 the tenants submitted a draft transfer and sent official copies of the entries on the registers of the freehold and leasehold titles. These were copied to the landlord but no response was received from him. In particular he failed either to approve or amend the draft transfer by 8 May 2015. Consequently we have proceeded to determine the terms of the proposed transfer.
3. By virtue of section 34(10) of the Act the draft transfer must contain a statement that it is executed for the purposes of Chapter 1 of Part 1 of the Act and, by virtue of paragraph 2(2)(b) of Schedule 7 to the Act, the transfer is to be expressed to be with limited title guarantee and not full guarantee.
4. Furthermore panels 6, 8 and 10 have been left blank. Panels 6 and 10 are primarily for the tenants whilst panel 8 should record the agreed premium of £30,000. In other respects we are content with the draft form TR1 which has been submitted.

Name: Angus Andrew

Date: 26 May 2015

If you need more room than is provided for in a panel, and your software allows, you can expand any panel in the form. Alternatively use continuation sheet CS and attach it to this form.

Leave blank if not yet registered.

Insert address including postcode (if any) or other description of the property, for example 'land adjoining 2 Acacia Avenue'.

Give full name(s).

Complete as appropriate where the transferor is a company.

Give full name(s).

Complete as appropriate where the transferee is a company. Also, for an overseas company, unless an arrangement with Land Registry exists, lodge either a certificate in Form 7 in Schedule 3 to the Land Registration Rules 2003 or a certified copy of the constitution in English or Welsh, or other evidence permitted by rule 183 of the Land Registration Rules 2003.

Each transferee may give up to three addresses for service, one of which must be a postal address whether or not in the UK (including the postcode, if any). The others can be any combination of a postal address, a UK DX box number or an electronic address.

1	Title number(s) of the property: EGL405236
2	Property: 100 Gurney Road London E15 1SL
3	Date:
4	Transferor: KIRAN KUMAR <u>For UK incorporated companies/LLPs</u> Registered number of company or limited liability partnership including any prefix: <u>For overseas companies</u> (a) Territory of incorporation: (b) Registered number in the United Kingdom including any prefix:
5	Transferee for entry in the register: FATEMEH AMIDI and MEHDI ARDALAN <u>For UK incorporated companies/LLPs</u> Registered number of company or limited liability partnership including any prefix: <u>For overseas companies</u> (a) Territory of incorporation: (b) Registered number in the United Kingdom including any prefix:
6	Transferee's intended address(es) for service for entry in the register:
7	The transferor transfers the property to the transferee

Place 'X' in the appropriate box. State the currency unit if other than sterling. If none of the boxes apply, insert an appropriate memorandum in panel 11.

Place 'X' in any box that applies.

Add any modifications.

Where the transferee is more than one person, place 'X' in the appropriate box.

Complete as necessary.

The registrar will enter a Form A restriction in the register *unless*:

- an 'X' is placed:
 - in the first box, or
 - in the third box and the details of the trust or of the trust instrument show that the transferees are to hold the property on trust for themselves alone as joint tenants, *or*
- it is clear from completion of a form JO lodged with this application that the transferees are to hold the property on trust for themselves alone as joint tenants.

Please refer to *Joint property ownership* and *practice guide 24: private trusts of land* for further guidance. These are both available on the GOV.UK website.

Insert here any required or permitted statement, certificate or application and any agreed covenants, declarations and so on.

8 Consideration

- The transferor has received from the transferee for the property the following sum (in words and figures):
- The transfer is not for money or anything that has a monetary value
- Insert other receipt as appropriate:

9 The transferor transfers with

- X full title guarantee
- limited title guarantee

10 Declaration of trust. The transferee is more than one person and

- they are to hold the property on trust for themselves as joint tenants
- they are to hold the property on trust for themselves as tenants in common in equal shares
- they are to hold the property on trust:

11 Additional provisions

11.1 The Transferee covenants with the Transferor by way of indemnity only henceforth to observe and perform all the covenants agreements conditions declarations obligations and other matters contained or referred to in the Property and Charges Registers (save for any financial charges) of the title EGL405236 in so far as they affect the Property and will indemnify the Transferor against all future proceedings costs claims demands and enquiries arising in respect thereof

11.2 The Transferee covenants with the Transferor by way of indemnity only henceforth to observe and perform all the covenants on the part of the Landlord contained in the Schedule of Notices of Leases as set out in the Charges Register to title number EGL405236 and will indemnify the Transferor against all future proceedings costs claims demands and enquiries arising in respect thereof.

The transferor must execute this transfer as a deed using the space opposite. If there is more than one transferor, all must execute. Forms of execution are given in Schedule 9 to the Land Registration Rules 2003. If the transfer contains transferee's covenants or declarations or contains an application by the transferee (such as for a restriction), it must also be executed by the transferee.

If there is more than one transferee and panel 10 has been completed, each transferee may also execute this transfer to comply with the requirements in section 53(1)(b) of the Law of Property Act 1925 relating to the declaration of a trust of land. Please refer to Joint property ownership and practice guide 24: private trusts of land for further guidance.

12 Execution

SIGNED as a deed by
KIRAN KUMAR in the
presence of:-

Name:

Witness signature (in BLOCK CAPITALS)

Witness address

SIGNED as a deed by
FATEMEH AMIDI in the
presence of:-

Name:

Witness signature (in BLOCK CAPITALS)

Witness address

SIGNED as a deed by
MEHDI ARDALAN in the
presence of:-

Name:

Witness signature (in BLOCK CAPITALS)

Witness address

WARNING

If you dishonestly enter information or make a statement that you know is, or might be, untrue or misleading, and intend by doing so to make a gain for yourself or another person, or to cause loss or the risk of loss to another person, you may commit the offence of fraud under section 1 of the Fraud Act 2006, the maximum penalty for which is 10 years' imprisonment or an unlimited fine, or both.

Failure to complete this form with proper care may result in a loss of protection under the Land Registration Act 2002 if, as a result, a mistake is made in the register.

Under section 66 of the Land Registration Act 2002 most documents (including this form) kept by the registrar relating to an application to the registrar or referred to in the register are open to public inspection and copying. If you believe a document contains prejudicial information, you may apply for that part of the document to be made exempt using Form EX1, under rule 136 of the Land Registration Rules 2003.