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

Case Reference : **LON/00BE/LSC/2014/0634**

Property : **74 Wendover Thurlow St London
SE17 2UD**

Applicant : **London Borough of Southwark**

Representative : **Mr P Cremin , Solicitor**

Respondent : **Mr P Palley**

Representative : **In person**

Type of Application : **Liability to pay service charges**

Tribunal Members : **Mrs F J Silverman Dip Fr LLM**

Date and venue of PTR : **13 January 2015
10 Alfred Place, London WC1E 7LR**

Date of Order : **13 January 2015**

ORDER

This matter is referred back to Lambeth County Court to deal with the Respondent's counterclaim and any other outstanding issues within that court's jurisdiction.

REASONS

1. An oral case management hearing of this matter took place on 13 January 2015 which was attended by Mr P Cremin for the Applicant and by the Respondent in person.
2. The Tribunal was informed by the Applicant that the Respondent has now paid to the Applicant all sums relating to service charges and interest which were due and owing..
3. That being so, the Tribunal has no further jurisdiction in relation to the matter which the Applicant therefore requested be transferred back to the county court for it to determine issues relating to the Respondent's counter claim.
4. The Respondent said that he wished to continue with the action if he could make an application under s20C. The Tribunal explained that as there were no longer any issues extant over which it had jurisdiction a s20C application was not possible.
5. The Respondent insisted that he had been required by another Judge to produce 'papers' to show to the Tribunal in any future Tribunal proceedings. The Judge said that it was not necessary to produce the papers unless they were relevant to the present case. The Respondent nevertheless insisted that the papers were shown to the Judge.
6. The papers comprised three previous Tribunal decisions (not relating to the present property) in one of which the Judge had made clear, explicit and derogatory reference to the Respondent's conduct of the proceedings and had indeed stated that the relevant paragraph should be shown to the Tribunal in any future proceedings.
7. The Respondent's conduct before the Tribunal was not discourteous but he spoke at length and libellously about the conduct of another Judge and continued his monologue after the Tribunal had closed the hearing.

Judge F J Silverman

as Chairman

13 January 2015