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

Case reference : LON/00AY/LSC/2017/0160

Property : 25 Hardham House, Tulse Hill, London
SW2 2LU

Applicant : The London Borough of Lambeth

Representative : Judge & Priestly Solicitors

Respondent : Miss A Popoola

Type of application : For the determination of the
reasonableness of and the liability to
pay a service charge

Tribunal members : Tribunal Judge S Brilliant
Mr R Shaw FRICS

**Date and venue of
hearing** : 02 August 2017
10 Alfred Place, London WC1E 7LR

Date of decision : 02 August 2017

DECISION

Decision of the Tribunal

The respondent is liable to pay service charges of £1,770.59 to the applicant.

Background

1. The respondent is the long lessee of 25 Hardman House, Tulse Hill, London SW2 2LU ("the premises") under a lease dated 13 March 2000 ("the lease").
2. Under the lease the respondent is liable to pay a service charge by way of additional rent to cover the cost, amongst other things, of repair to the block in which her flat is situated ("the block").
3. The applicant has commenced proceedings in the County Court to recover £1,770.59 service charges said to be due from the respondent.
4. The service charges claimed are the applicant's share of the costs of structural repairs to the block carried out in 2013.
5. On 6 April 2017, District Judge Rand transferred the proceedings to the tribunal.

The work

6. On 11 March 2013, the applicant sent to the respondent a section 20 notice in respect of improvement work to the block, with an estimate that the respondent's contribution would be £2,036.35.
7. On 2 April 2015 the applicant sent a demand to the respondent for her share of the work in the sum of £1,770.59. The final certified summary of costs stated that the works had been carried out between 11 May 2013 and 25 September 2013.
8. In fact the actual date of completion of the work was 8 November 2013.

The respondent's case

9. The respondent's case is that the date of completion is not evidence of when the costs were paid. She argues that the applicant has not complied with the requirements of section 20B of the Landlord and Tenant Act 1985.

The applicant's case

10. The applicant argues that the demand was served within 17 months of the completion of the work.

Discussion

11. There is no evidence that this comparatively short programme of work was paid for prior to the work being completed. We find that the demand was made within 18 months of the costs being incurred.
12. The matter should now be referred back to the County Court.

Simon Brilliant

02 August 2017