



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

**Case reference** : LON/00AF/OC9/2017/0315

**Property** : 15 Woodlands, 19 Oaklands Road,  
Bromley, Kent BR1 3SS

**Applicant** : Mr L Moorby

**Representative** : Howell-Jones LLP

**Respondent** : Mr V Brown

**Representative** : Philip Ross & Co

**Type of application** : For the determination of costs to be  
paid in connection with a new lease  
pursuant to s.60 Leasehold  
Reform, Housing and Urban  
Development Act 1993

**Tribunal member(s)** : Judge S Brilliant

**Venue** : 10 Alfred Place, London WC1E 7LR

**Date of decision** : 20 February 2018

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**DECISION**

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### **Decision of the tribunal**

The tribunal determines that the respondent is to pay the applicant costs of £2,434.80, made up as follows:

- (1) Solicitors' costs (attendances and work on documents): £504.00
- (2) Surveyor's costs: £750.00
- (3) Solicitors' costs (conveyancing): £900.00
- (4) VAT on solicitors' costs: £280.80

### **The application**

1. The applicant seeks a determination, pursuant to s.60 Leasehold Reform, Housing and Urban Development Act 1993, for the determination of costs to be paid in connection with the granting of a new lease of 15 Woodlands, 19 Oaklands Road, Bromley, Kent BR1 3SS.

### **Directions**

2. On 15 December 2017, the applicant was directed to send a schedule of costs sufficient for a summary assessment to the respondent by 5 January 2018.
3. The applicant's solicitors provided a schedule, with supporting documents, dated 22 December 2017.
4. On 10 January 2018, the respondent's solicitors wrote to the tribunal suggesting that the applicant's solicitors had failed to comply with the direction. I do not accept that submission. The schedule is sufficient for a summary assessment.

### **The objection**

5. The respondent's solicitors have not complied with the direction to serve a statement of case by 19 January 2018. However, the tribunal has a copy of an email dated 23 November 2017 sent by the respondent's solicitors. A point is taken that there was another lease extension (presumably between the same parties) in Bromley in which the applicant's solicitors and valuer were also acting at the same time as the lease extension the subject of these proceedings. However, no detail is provided about the precise location (other than the address) or size of the other flat.

## **Findings**

6. I will reduce the amount of time allowed for work done on documents. The notice and counter-notice are straightforward, so I will allow 1.2 hours rather than 2.1 hours.
7. Otherwise I find that the time spent was reasonably spent, and the costs claimed are reasonably claimed.

**Name:** Simon Brilliant

**Date:** 20 February 2018

## **Rights of appeal**

By rule 36(2) of the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013, the tribunal is required to notify the parties about any right of appeal they may have.

If a party wishes to appeal this decision to the Upper Tribunal (Lands Chamber), then a written application for permission must be made to the First-tier Tribunal at the regional office which has been dealing with the case.

The application for permission to appeal must arrive at the regional office within 28 days after the tribunal sends written reasons for the decision to the person making the application.

If the application is not made within the 28 day time limit, such application must include a request for an extension of time and the reason for not complying with the 28 day time limit; the tribunal will then look at such reason(s) and decide whether to allow the application for permission to appeal to proceed, despite not being within the time limit.

The application for permission to appeal must identify the decision of the tribunal to which it relates (i.e. give the date, the property and the case number), state the grounds of appeal and state the result the party making the application is seeking.

If the tribunal refuses to grant permission to appeal, a further application for permission may be made to the Upper Tribunal (Lands Chamber).