



**FIRST-TIER TRIBUNAL PROPERTY  
CHAMBER (RESIDENTIAL  
PROPERTY) and IN THE COUNTY  
COURT AT MANCHESTER, sitting at  
10 Alfred Place, London WC1E 7LR**

**Case reference** : **LON/00AH/LSC/2019/0360 & 0361**

**County court claim  
numberS** : **D56YJ459  
E55YJ693**

**HMCTS code (paper,  
video, audio)** : **V: CVPREMOTE**

**Property** : **First Floor Flat, 147 Portland Road,  
South Norwood, London SE25 4UX**

**Applicant/Claimant** : **Southern Land Securities Ltd**

**Representative** : **ADH Legal  
Ms G Purnell, counsel**

**Respondent/  
Defendant** : **Scott Holdings International Ltd**

**Representative** : **Mr S Frimpong, direct access counsel**

**Type of application** : **Transfer from County Court – Service  
& Administration Charges, Interest  
and Costs**

**Tribunal members** : **Judge Nicol  
Mr C P Gowman MCIEH MCMi BSc  
Mr A Parkinson**

**Date of decision** : **14<sup>th</sup> December 2020**

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**DECISION**

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- (1) By consent, the cases are stayed until 14<sup>th</sup> December 2021.
- (2) The parties may apply to end the stay or to withdraw but, if they do not do so by 14<sup>th</sup> December 2021, the cases will be struck out.

## **Reasons**

1. The Applicant/Claimant is the freeholder and the Respondent/Defendant is the lessee of one of the two flats at 147 Portland Road. The Applicant issued two claims in the county court:
  - D56YJ459 April 2017 £6,865.33
  - E55YJ693 April 2018 £5,990.69
2. On the second claim, default judgment was obtained but then set aside and the claim transferred to the Tribunal by District Judge Obodai on 11<sup>th</sup> January 2019.
3. By order made on 22<sup>nd</sup> August 2019 Deputy District Judge Falder similarly set aside a default judgment on the first claim, joined the two claims together and sent them both to the Tribunal.
4. The Tribunal issued directions for both cases on 8<sup>th</sup> October 2019. Amongst other matters, the Tribunal directed that all issues would be decided together so that the Tribunal judge would sit as a county court judge to decide matters within the exclusive jurisdiction of the court.
5. The hearing was initially listed for 17<sup>th</sup> January 2020 but was adjourned to 13<sup>th</sup> May 2020 due to problems with compliance with the directions. It then had to be further adjourned due to the effects of the COVID-19 pandemic. A hearing was eventually held on 16<sup>th</sup> November 2020 but that too had to be adjourned, to 14<sup>th</sup> December 2020. The hearing was attended by:
  - Ms G Purnell, counsel for the Applicant;
  - Mr S Frimpong, counsel for the Respondent; and
  - Mr Scott.
6. The parties have been able to reach a measure of agreement, albeit at the last minute, and, at the hearing, jointly sought a stay of 12 months to allow the agreement to be finalised and implemented. Both the Tribunal and the court consented to this, save that the parties must inform the Tribunal within the period of 12 months what is happening with the cases and, if they do not, they will be struck out.

**Name:** Judge Nicol

**Date:** 14<sup>th</sup> December 2020