



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

Case reference : **CAM/00MC/LSC/2018/0063**

Property : **Royal Court, Kings Road, Reading,
Berkshire RG1 4AE**

Applicant : **Mididol Limited**
**Chrisaliz Management Services
Limited, managing agents for the
Applicant (Mr J Shannon) and Mr F
Bizzari, director**

Respondent : **The Leaseholders at Royal Court as
referred to in the application**
**Mr M S Hora and Mr J Hadap
together with Mr V Tandon and Mr
D Livingstone**

Type of application : **Application for permission to
appeal**

Tribunal members : **Tribunal Judge Dutton
Mr D Barnden MRICS
Mr A Kapur**

**Date of original
decision** : **4th February 2019**

DECISION

DECISION OF THE TRIBUNAL

1. The tribunal has considered the request for permission to appeal by Manmeet Hora (the respondent) one of the lessees dated 23rd February 2019 and determines that:
 - (a) it will not review its decision; and
 - (b) permission be refused.
2. In accordance with section 11 of the Tribunals, Courts and Enforcement Act 2007 and rule 21 of the Tribunal Procedure (Upper Tribunal) (Lands Chamber) Rules 2010, the respondent may make further application for permission to appeal to the Upper Tribunal (Lands Chamber). Such application must be made in writing and received by the Upper Tribunal (Lands Chamber) no later than 14 days after the date on which the First-tier Tribunal sent notice of this refusal to the party applying for permission to appeal.
3. The Upper Tribunal (Lands Chamber) may be contacted at: 5th Floor, Rolls Building, 7 Rolls Buildings, Fetter Lane, London EC4A 1NL (tel: 020 7612 9710); or by email: lands@hmcts.gsi.gov.uk .

REASON FOR THE DECISION

4. The reason for the decision is that the tribunal had considered and taken into account all of the points now raised by the respondent, when reaching its original decision.
5. The original tribunal's decision was based on the evidence before it and the respondent has raised no legal arguments in support of the application for permission to appeal.
6. For the benefit of the parties and of the Upper Tribunal (Lands Chamber) (assuming that further application for permission to appeal is made), the tribunal has set out its comments on the specific points raised by the respondent in the application for permission to appeal, in the appendix attached.

Name: Tribunal Judge Dutton **Date:** 12th March 2019

APPENDIX TO THE DECISION
REFUSING PERMISSION TO APPEAL

For the benefit of the parties and of the Upper Tribunal (Lands Chamber), the tribunal records below its comments on the grounds of appeal, adopting the paragraph numbering of the original application for permission. References in square brackets are to those paragraphs in the main body of the original tribunal decision.

Specific comments on the grounds of appeal

1. The application before the tribunal was the reasonableness and payability of an interim estimated service charge demand. The second year in succession that such an application had been made by the landlord. In our previous decision under case CAM/OOMC/LSC/2017/0092 we dealt with the balustrading and said this

"16. It is essential that the interim demands are settled in time to enable the Applicant to undertake the services it is required to deal with under the lease. Equally the Applicant must ensure that they provide value for money. The lessees can still challenge the actual costs when the accounts are issued if it is felt appropriate."

Final accounts for 2017 are now available.

2. The challenge by the Respondents at the hearing did not address the interim demands but rather was a general challenge to the management and the costs, not at the time of the hearing actualised. They are now available and as we stated at paragraph 15 of the decision under appeal *"It appears that nothing has improved since our decision a year ago. If the leaseholders wish to challenge the sums expended they would be better served by reviewing the actual costs incurred, they now having accounts for the years ending June 2017 and 2018. This we raised in our previous decision. They took a pragmatic approach to the estimated service charge demand for the year ending June 2019, accepting that any reduction in same is going to impact on the monies available for the present years actual costs."*