



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

**Case reference** : **CAM/26UG/LIS/2018/0024**

**Property** : **2 The Garden, 30 Lemsford Road,  
St.Albans, Herts AL1 3BP**

**Applicant** : **Miss Anne Noon**

**Respondent** : **Miss Jade Joel**

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

**Tribunal members** : **Tribunal Judge Dutton  
Miss M Krisko BSC (Est Man)  
FRICS  
Mr A Kapur**

**Date of decision** : **21st January 2019**

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**DECISION**

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#### DECISION OF THE TRIBUNAL

1. The tribunal has considered the respondent's request for permission to appeal dated 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 a 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:** 4th February 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

The issue raised by Miss Joel is the requirement for her to contribute £100 to the hearing fee. This was discussed at the hearing with both parties and we invited oral submissions. Miss Joel left the hearing room before Miss Noon but contrary to her assertion there was no discussion with Miss Noon concerning the case or the question of costs. All was considered with both parties present.

The parties reached an agreement, which is embodied in the decision we issued and included the insurance, Miss Joel confirming she considered the sum reasonable. The question of costs was a matter that we confirmed we would consider. Given that each party had some success and that this was a case transferred from the Court we concluded that a sharing of the hearing fee was just and equitable. Our decision was made after both parties had left.