



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

**Case Reference** : CHI/45UH/LVM/2018/0009

**Property** : 5, Bedford Row, Worthing  
West Sussex BN11 3DR

**Applicant** : Stone Property 5 Limited

**Representative** :

**Respondent** : Mr Christopher Halls RICS

**Representative** :

**Type of Application** : Discharge of Appointment of a manager

**Tribunal Member(s)** : Judge Tildesley OBE

**Date and Venue of Hearing** : 10 April 2019  
Havant Justice Centre, Elmleigh Road,  
Havant Po9 2AL

**Date of Decision** : 11 April 2019

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DECISION

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1. The Applicant applies for an order discharging the appointment of Mr C J Halls FRICS of Graves Jenkins as Receiver and Manager of the Property which was made under section 24 of the Landlord and Tenant Act 1987 and took effect from 7 June 2004.
2. The application was sent to the long leaseholders of the five flats at the property and to Mr Halls.
3. The leaseholders made no representations to the Tribunal.
4. Mr Halls in a letter dated 3 April 2019 expressed his full support of the application. Mr Halls also explained that throughout his period of management it had been difficult to secure the proper and full funding as envisaged under the leases to maintain the property to the required standard. Mr Halls in a further email to the Tribunal dated 9 April 2019 indicated that he agreed with the direction regarding final accounts and confirmed that there were no further outstanding fees. The Tribunal excused Mr Halls attendance at the hearing.
5. The application was heard on 10 April 2019 at Havant Justice Centre. Mr John Terry and Mrs Marion Terry the directors and shareholders of the Applicant company attended the hearing. Mr Terry presented the case for the Applicant.
6. The Tribunal found the following facts:
  - The Applicant purchased the freehold of the property on 11 October 2016.
  - The Applicant was not the freeholder at the time the Management Order was made.
  - The property had fallen into substantial disrepair.
  - The Applicant had renovated a neighbouring property and intended to do the same with the subject property.
  - No leaseholder objected to the Application. The current manager thoroughly supported it.
7. The Tribunal is satisfied in accordance with section 24(9A) of the 1987 Act that if the Order was discharged there would be no recurrence of the circumstances which led to the order being made and that it is just and convenient in all the circumstances to discharge the order.
8. The Tribunal discharges the Mr Halls from his appointment as Receiver and Manager of the property with immediate effect.
9. The Tribunal directs Mr Halls to prepare and submit a brief written report for the Tribunal on the progress and outcome of the

management of the Property and to include final closing accounts. The Manager shall also serve copies of the reports and accounts on the freeholder and leaseholder who may raise queries within 14 days. The Manager shall answer such queries within a further 14 days. Thereafter the Manager shall reimburse any unexpended monies to the freeholder or in the case of dispute as decided by the Tribunal upon application by any interested person.

## **RIGHTS OF APPEAL**

1. A person wishing to appeal this decision to the Upper Tribunal (Lands Chamber) must seek permission to do so by making written application to the First-tier Tribunal at the Regional office which has been dealing with the case.
2. The application must arrive at the Tribunal within 28 days after the Tribunal sends to the person making the application written reasons for the decision.
3. If the person wishing to appeal does not comply with the 28 day time limit, the person shall include with the application for permission to appeal a request for an extension of time and the reason for not complying with the 28 day time limit; the Tribunal will then decide whether to extend time or not to allow the application for permission to appeal to proceed.
4. The application for permission to appeal must identify the decision of the Tribunal to which it relates, state the grounds of appeal, and state the result the party making the application is seeking.