



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

Case Reference : **BIR/OOGL/HNA/2019/0008**

Property : **49 Station Street
Stoke-on-Trent
Staffordshire
ST6 4ND**

Applicant : **Mr David Roberts**

Representative : **None**

Respondent : **Stoke-on-Trent City Council**

Representative : **Mr Neil Watson
Mr Gareth Williams**

Type of Application : **An appeal under paragraph 10 of Schedule 13A
to the Housing Act 2004 against a decision by
the Local Housing Authority to impose a
Financial Penalty.**

Tribunal Members : **Mr G S Freckelton FRICS (Chairman)
Mr P Wilson BSC (Hons) LLB MRICS MCEIH
CEnvH**

Date of Decision : **30th September 2019**

DECISION

INTRODUCTION

1. This is the Tribunal’s determination on an appeal made by Mr David Roberts (“the Applicant”) against the decision of Stoke-on-Trent City Council (“the Respondent”) to impose a financial penalty under section 249A of the Housing act 2004 (“the Act”) relating to 49 Station St, Stoke-on-Trent, Staffordshire ST6 4ND (“the Property”).
2. The Applicant is the owner of the Property.
3. On 27th of July 2018 the Respondent served a Notice of Intention to Issue a Financial Penalty on the Applicant under paragraph 1 of schedule 13A to the Act. The notice was issued as the Respondent was satisfied beyond reasonable doubt that the Applicant had committed an offence as he had failed to comply with an Improvement Notice (Section 30).
4. On 1st February 2019 the Respondent served a Final Notice of Decision to Impose a Financial Penalty on the Applicant. The Respondent stated in the Final Notice that representations had been received via a text message on 17th August 2018 and had been carefully considered but that no further written representations had been received within the required period. Pursuant to schedule 13A to the act, the Notice imposed a financial penalty of £7500.00. The Notice stated that the Respondent was satisfied that the conduct of the Applicant amounted to an offence, more specifically that the Applicant, as a person having control of the Property, had committed the following offences (the elements of the penalty attributed to each offence is shown alongside):

First Offence	£5000.00
<u>Multiple Significant Hazards</u>	<u>£2500.00</u>
Total	£7500.00

5. On 6th May 2019 the Applicant applied to the Tribunal. The Application was received by the Tribunal on 9th May 2019. The Application was out of time and on 23rd May 2019 the Tribunal issued Directions on this Preliminary Issue. On 10th June 2019 the Tribunal issued its Decision on the Preliminary Issue together with Directions for dealing with the Application itself.

INSPECTION

6. The Tribunal inspected the Property on 18th September 2019 in the presence of the Applicant, Mr Gareth Williams (an Environmental Health Officer employed by the Respondent) and Mr Neil Watson (Empty Homes Manager employed by the Respondent).
7. The Property was found to be a mid-terraced house of solid brick construction surmounted by a tiled roof. The rear elevation was cement rendered and there was a rear ground floor single storey bathroom extension having a flat felt roof.
8. Briefly the accommodation comprises on the ground floor of an entrance hall open to a through lounge/dining room, fitted kitchen and bathroom.

9. On the first floor the landing leads to two double bedrooms and one single bedroom. Although when viewed externally from the rear yard there is evidence of a loft extension it was apparent that there was no permanent access into the roof space and the Applicant confirmed the loft area was only accessed via the inspection hatch and could only be used for storage.
10. The Property has gas fired central heating and upvc double glazing throughout. It is built up to the pavement and to the rear is a small yard area.

THE IMPROVEMENT NOTICE

11. The Improvement Notice served on 29th November 2017 by the Respondent confirmed the following items required attention:

Category of Hazard	Hazard	Description
1	Electrical	1) Missing Consumer Unit Cover 2) Fault to socket in front lounge 3) Damaged socket to front bedroom 4) Loose light switch to ground floor hallway 5) Inadequate water ingress protection to spa bath power supply 6) Numerous general concerns
1	Falling on Stairs	1) Gaps in the guarding to the balustrades in excess of 100mm. 2) Loose balustrades to the staircase
1	Fire	1) Concerns over Electrical Safety 2) Only one double and one single socket to the kitchen 3) Socket to rear bedroom is not working 4) Internal door handle to rear kitchen door loose and external door handle missing
2	Collision & Entrapment	1) Cracked and damaged floor tiles.
2	Falling on Level Surfaces	1) Trailing cables into the rear bedroom as socket in room not working
2	Crowding & Space	1) Missing door to rear bedroom 2) Front bedroom door in poor state of repair
2	Falls between Levels	1) No restrictors to front bedroom window. 2) No restrictors to middle bedroom window
2	Personal Hygiene, Sanitation & Drainage	1) Inadequate hot water flow to bathroom wash hand basin
2	Position & Operability of Amenities etc.	1) Internal door handle to rear kitchen door loose and external door handle missing

12. It was noted by the Tribunal during its inspection that some of the more serious electrical repairs had been completed but apart from those the only works carried out were the fitting of a door to bedroom 2. No power sockets to bedroom 3 had been fitted.

THE HEARING

13. A hearing was held later that same day at Stafford justice centre.
14. Present at the hearing were those who had attended the inspection.
15. The submissions made on behalf of the parties in writing and in person at the hearing were briefly as follows.

THE RESPONDENT'S SUBMISSIONS

16. The Private Sector Housing Team had received a complaint from the tenant of the Property on 30th October 2017 in relation to a faulty boiler. This complaint was passed to the Environmental Health officer Mr G E Williams on 31st October 2017. On that date Mr Williams contacted the tenant to arrange to call at the Property to inspect the boiler.
17. The tenant was not available but arranged for a friend to meet him at the Property. Mr Williams visited the Property and confirmed that the boiler was not working and that there appeared to be an issue with it. Although Mr Williams did not carry out an inspection of the Property on that date, he identified a number of other serious defects. Mr Williams therefore arranged with the tenant to conduct a formal inspection of the Property on the 3rd November 2018. At the same time Mr Williams proceeded to carry out a search of the Council Tax database to discover the details of the landlord of the Property.
18. On 31st October 2017 Mr Williams spoke to Mr David Roberts (“the Applicant”) who confirmed to him that he was the landlord of the Property and receive the rents. At that time the Applicant informed the Respondent that he would carry out the repairs and Mr Williams confirmed that he would be carrying out a further inspection on 3rd November 2017 for the purposes of the Housing Act 2004.
19. On 3rd November 2017 Mr Williams attended at the Property with Mr C Butcher, who is also an Environmental Health Officer employed by the Respondent. The Applicant did not attend the inspection. Between 13th November and 16th November 2017 Mr Williams tried to call the tenant on several occasions to verify if any of the works had been completed. On 17th November the tenant confirmed that the boiler had been replaced but that no further works had been undertaken.
20. Mr Williams proceeded to carry out an assessment using the Housing Health and Safety Rating System. He identified Category One hazards or serious hazards for electrical hazards, falling on stairs and fire as well as a number of category two hazards. He then drafted an Improvement Notice under the provisions of Sections 11 and 12 of the Housing Act 2004. The Improvement Notice was served on 29th November 2017 and had an operative date of 2nd January 2018 requiring the works to be completed by 20th February 2018.

21. Mr Williams arranged to revisit the Property on 1st March 2018 and issued a Notice under the provisions of section 239 of the Housing act 2004. On 1st March 2018 Mr Williams carried out an inspection of the Property with a further colleague Mr J Ibbs and discovered that none of the works had been completed. The Applicant attended the inspection and Mr Williams went through the works required to comply with the Notice. The Applicant confirmed that he would be able to complete the works in two weeks and it was agreed with the tenant that Mr Williams would arrange to re-inspect in three weeks' time.
22. On 14th March 2018 Mr Williams contacted the tenant to arrange a further visit and was informed that no works had been carried out. The inspection was re-arranged for 19th March 2018 but the tenant was unable to attend. As the tenant was arranging to vacate the Property a further inspection was arranged with the Applicant on 18th April 2018 but on 16th April 2018 Mr Williams received a text message from the owner of the adjacent property to report concerns about the Property and the potential damage it could cause to his property. At that time Mr Williams was led to believe that the Property was occupied although he had been given to understand from the Applicant that it was to be left empty.
23. Mr Williams attended at the Property on 18th April 2018 but was unable to gain access. He spoke to the Applicant who informed him that his wife had come out of hospital and he was unable to make the appointment so it was rearranged for 27th of April 2018. On 19th April 2018 the Respondent issued a Notice to confirm its intention to inspect the Property under the provisions of Section 239 of the Housing Act 2004.
24. On 27th of April 2018 Mr Williams was able to gain access to the Property with the Applicant and identified that attempts had been made to repair some of the defects but that there were several defects that had not been addressed. The Applicant confirmed that the Property was empty and that he was staying at the Property on occasions to complete the works. The Applicant submitted an Electrical Installation Condition Report and demonstrated that some of the works had been carried out although other items remained outstanding.
25. Between 30th April 2018 and 10th May 2018 Mr Williams made several visits to the Property but was unable to gain entry or ascertain if the Property was occupied. He received a text message from the landlord of the adjacent property on 5th June 2018 to report noise issues, concerns over the flat roof and to describe the gentleman who appeared to be occupying the Property. On 5th June Mr Williams contacted the Applicant to arrange a further visit for 15th June but on that date the Applicant sent him a text message confirming that he could not keep the appointment and it was rearranged for 19th June.
26. On 19th June 2018 Mr Williams re-attended at the Property but was unable to gain access and on 20th June 2018 the Respondent sent to the Applicant a Notification of Offence Letter and at the same time sent a further letter to the Applicant to arrange an interview with him under caution on 29th June 2018. On that date Mr Williams received a text message from the Applicant to explain that he could not make the interview and a further letter was sent on the same date inviting the Applicant for interview on 13th

July 2018. On that date the Applicant called to explain that he would be unable to attend.

27. On 27 July 2018 the Respondent issued the Notice of Intention to Issue a Financial Penalty since which the only written representation the respondent received was via text messages on 16th, 17th, and 22nd August 2018.
28. On 1st February 2019 the Respondent served a Final Notice of Decision to Impose a Financial Penalty on the Applicant as detailed above in paragraph 4.

THE APPLICANT'S SUBMISSIONS

29. The Applicant submitted that had let the Property to a friend 'Sarah' at a nominal rent of £200.00 per calendar month to help her out. He had not let the Property to any other person after she left in March 2018 although he did concede that the property had been occupied by tenants for several periods during the twenty years, he had owned the property.
30. In 2018 the Applicant was on holiday with his sister who has a serious illness. He submitted that he has had to spend a considerable amount of time looking after her. He received a telephone call to confirm that there was a fault with the gas boiler. The Applicant had immediately arranged for a gas engineer to attend who fitted a new boiler.
31. At a later date a representative from the City Council attended who confirmed that there was a problem with some of the electrical fittings. The Applicant submitted that he was concerned as to his sister's health which distracted his attention from maintaining the Property and at the same time he struggled with reading and writing.
32. It appears that some of the electric boxes were not working for many years and the Applicant submitted that he managed to arrange for an electrician to have them looked at. He obtained paperwork from the electrician but this was taken by the Respondent making it difficult for him to arrange for electricians to carry out the required work as they did not know exactly what repairs were needed.
33. The Applicant further submitted that he received an invoice for £442.00 from the Respondent. The Applicant understood from the Respondent that if the house was not let out then there was no necessity to carry out the repairs specified in the Improvement Notice and only the Applicant was residing at the Property.
34. It was further submitted that the Property had been empty for several months prior to the financial penalty of £7500.00 being issued.
35. The Applicant submitted that his Member of Parliament Mr Paul Farrelly had written to the Respondent on 2nd April 2019. This letter briefly confirmed:

- 1) That the Applicant had made both telephone and face-to-face contact with Mr Williams and had been told not to worry about the £442.00 charge and that the Respondent would not take any action if the Property was empty.
- 2) That the Applicant had arranged and paid for an Electrical Installation Condition Report to be prepared for the Property although this paperwork was taken by Mr Williams without permission during a further visit to the Property. This hampered/delayed the Respondent's own efforts to engage and instruct an electrician to carry out the required works.
- 3) That the Applicant had only been able to retrieve the report when he visited the Civic Centre and that it had never been his intention to ignore or fail to comply with the requirements of the Improvement Notice.
- 4) That unfortunately due during the last 12 months the Applicant's sister had been suffering from cancer which necessitated the Applicant prioritising his time and making frequent trips to and from North Wales to look after her.
- 5) That the Applicant experiences difficulty in reading which results in him not properly understanding letters which have been sent to him.
- 6) That the Applicant had previously submitted an appeal to the First-tier Tribunal but unfortunately this was not received by them.
- 7) That the Applicant had acted proactively to begin addressing the work outlined in the Improvement Notice and still wished to do all he could to comply with its requirements

36. It was therefore submitted by Mr Farrelly that the case should be considered sympathetically.

37. The Tribunal questioned the parties on several matters and it was confirmed:

- 1) Evidence was provided by way of a copy of the Land Registry Title confirming that the Property was owned by Mr R P Wright and not by the Applicant. The Applicant confirmed that he was the owner of the Property having acquired it from Mr Wright some 20 years previously although the Land Registry Title had not been amended.
- 2) The Applicant confirmed he did not own any other properties.
- 3) The Respondent confirmed that its policy in respect of Financial Penalties was evolving. Mr Williams could not explain how the Policy had been determined thus far although he thought it was in line with other Local Authorities in the West Midlands.
- 4) The Respondent confirmed that it had sent a standard form to be completed by the Applicant if he felt his income was less than £440.00 per week. In this situation the Respondent would consider applying a discount to the Financial Penalty imposed. This had not been returned but the Respondent had not discussed this with the Applicant even though it was aware the Applicant experienced some difficulties in dealing with written documentation.
- 5) The Applicant confirmed that apart from the tenant 'Sarah' the Property had never been let out. The Respondent confirmed that according to their Council Tax Records no one else had ever resided at the Property. Despite this, the Respondent confirmed that it pursued the Financial Penalty as it felt there was someone else living in the Property, based, the Tribunal assumes on the evidence of the landlord of the adjoining house.
- 6) The Applicant confirmed that his income was around £350.00 per week when he was working although with having to go regularly to Wales to look after his sister, he was not at work every week.

- 7) The Applicant also confirmed that he was paying off some £8000.00 of Council Tax arrears at the rate of £200.00 per month.

THE LAW

38. Paragraphs 1 to 10 of Schedule 13A to the Housing Act 2004 state as follows:

Notice of intent

1 Before imposing a financial penalty on a person under section 249A the local housing authority must give the person notice of the authority's proposal to do so (a "notice of intent").

2 (1) The notice of intent must be given before the end of the period of 6 months beginning with the first day on which the authority has sufficient evidence of the conduct to which the financial penalty relates.

(2) But if the person is continuing to engage in the conduct on that day, and the conduct continues beyond the end of that day, the notice of intent may be given—

(a) at any time when the conduct is continuing, or

(b) within the period of 6 months beginning with the last day on which the conduct occurs.

(3) For the purposes of this paragraph a person's conduct includes a failure to act.

The notice of intent must set out—

(a) the amount of the proposed financial penalty,

the reasons for proposing to impose the financial penalty, and

information about the right to make representations under paragraph 4.

Right to make representations

4 (1) A person who is given a notice of intent may make written representations to the local housing authority about the proposal to impose a financial penalty.

(2) Any representations must be made within the period of 28 days beginning with the day after that on which the notice was given ("the period for representations").

Final notice

5 After the end of the period for representations the local housing authority must—

(a) decide whether to impose a financial penalty on the person, and

if it decides to impose a financial penalty, decide the amount of the penalty.

6 If the authority decides to impose a financial penalty on the person, it must give the person a notice (a “final notice”) imposing that penalty.

7 The final notice must require the penalty to be paid within the period of 28 days beginning with the day after that on which the notice was given.

The final notice must set out—

(a) the amount of the financial penalty,

the reasons for imposing the penalty,

information about how to pay the penalty,

the period for payment of the penalty,

information about rights of appeal, and

the consequences of failure to comply with the notice.

Withdrawal or amendment of notice

(1) A local housing authority may at any time—

withdraw a notice of intent or final notice, or

reduce the amount specified in a notice of intent or final notice.

(2) The power in sub-paragraph (1) is to be exercised by giving notice in writing to the person to whom the notice was given.

Appeals

(1) A person to whom a final notice is given may appeal to the First-tier Tribunal against—

the decision to impose the penalty, or

the amount of the penalty.

(2) If a person appeals under this paragraph, the final notice is suspended until the appeal is finally determined or withdrawn.

(3) An appeal under this paragraph—

is to be a re-hearing of the local housing authority's decision, but

(b) may be determined having regard to matters of which the authority was unaware.

(4) On an appeal under this paragraph the First-tier Tribunal may confirm, vary or cancel the final notice.

(5) The final notice may not be varied under sub-paragraph (4) so as to make it impose a financial penalty of more than the local housing authority could have imposed.

Section 263 of the Act states

263 Meaning of “person having control” and “person managing” etc.

(1) In this Act “person having control”, in relation to premises, means (unless the context otherwise requires) the person who receives the rack-rent of the premises (whether on his own account or as agent or trustee of another person), or who would so receive it if the premises were let at a rack-rent.

(2) In subsection (1) “rack-rent” means a rent which is not less than two-thirds of the full net annual value of the premises.

(3) In this Act “person managing” means, in relation to premises, the person who, being an owner or lessee of the premises—

(a) receives (whether directly or through an agent or trustee) rents or other payments from—

(i) in the case of a house in multiple occupation, persons who are in occupation as tenants or licensees of parts of the premises; and

(ii) in the case of a house to which Part 3 applies (see section 79(2)), persons who are in occupation as tenants or licensees of parts of the premises, or of the whole of the premises; or

(b) would so receive those rents or other payments but for having entered into an arrangement (whether in pursuance of a court order or otherwise) with another person who is not an owner or lessee of the premises by virtue of which that other person receives the rents or other payments;

and includes, where those rents or other payments are received through another person as agent or trustee, that other person.

(4) In its application to Part 1, subsection (3) has effect with the omission of paragraph (a)(ii).

(5) References in this Act to any person involved in the management of a house in multiple occupation or a house to which Part 3 applies (see section 79(2)) include references to the person managing it.

THE TRIBUNAL’S DETERMINATION

39. The Tribunal then considered the appeal in three parts:

- 1) Whether the Tribunal was satisfied, beyond reasonable doubt, that the Applicant’s conduct amounted to a “relevant housing offence” in respect of premises in England (see sections 249A (1) and (2) of the Housing Act 2004);
- 2) Whether the Local Housing Authority complied with all of the necessary requirements and procedures relating to the imposition of the financial penalty (see section 249A and paragraphs 1 to 8 of Schedule 13A of the 2004 Act); and/or

- 3) Whether the financial penalty was set at an appropriate level, having regard to any relevant factors, including:
- i. the offender's means;
 - ii. the severity of the offence;
 - iii. the culpability and track record of the offender;
 - iv. the harm (if any) caused to a tenant of the premises;
 - v. the need to punish the offender, to deter repetition of the offence or to deter others from committing similar offences; and/or
 - vi. the need to remove any financial benefit the offender may have obtained as a result of committing the offence.
40. Did the Applicant's conduct amount to a relevant housing offence?
41. It was not contested by the Applicant that he owned the Property or that the Improvement Notice was served on him.
42. The Tribunal is therefore satisfied beyond reasonable doubt that the alleged offence was committed and that the Applicant was the "person in control".
43. Whether the Local Housing Authority complied with all of the necessary requirements and procedures relating to the imposition of the financial penalty?
44. There was no challenge by the Applicant in this element of the appeal and the Tribunal determines that the procedural requirements for the imposition of the Financial Penalty were satisfied.
45. Whether the financial penalty was set at an appropriate level?
46. The methodology by which the penalty amount was calculated was by the Respondent Council's Civil Penalties Policy which includes a matrix which had been set in partnership with other Local Authorities in the West Midlands region to establish a consistent framework. This sets out the penalty amount for each type of offence and adjustments for particular circumstances some of which are not relevant to this matter. The Tribunal considers this policy simplistic. For instance, the penalty for the First Offence for failure to comply with an Improvement Notice is £5,000.00. However, other than a flat 50% discount for income below £440.00 per week, there is no mechanism to adjust this for the seriousness of the offence or for discretion to allow for mitigation for personal factors such as here, the illness of the Applicant's sister or the difficulties experienced by the Applicant in dealing with written documentation.
47. In addition, the starting point at £5000.00 appears very high. Comparable policies in other local housing authorities have a significantly lower starting point. One city authority has a starting point of £250.00 (although this is in cases where there is low culpability and low likelihood of harm). Furthermore, the policy sets the penalty for a second offence at £15,000.00 and £25,000.00 for a third offence. These appear both arbitrary and high given that the policy has no room for discretion although obviously they are not relevant in this case.
48. The Tribunal entirely accepts that part of the purpose in imposing Financial Penalties is punitive; they should punish the offender to deter repetition and remove any

financial benefit from failure to comply with statutory requirements whilst also protecting the tenant of the premises. It is an alternative to prosecution. It would however, seem wholly inappropriate if the level of financial penalties levied were substantially greater than the level of fine(s) that might reasonably be expected had the local housing authority opted for the alternative of prosecution. The Tribunal recognises that in putting in place the legislation permitting local housing authorities to levy civil penalties the Government was no doubt seeking to make those responsible for committing breaches of statutory housing requirements contribute towards the cost of enforcement. However, the Tribunal would also express the view that local housing authority civil penalty notices should be carefully drafted and sufficiently flexible to allow penalties levied to properly reflect all the circumstances of a particular case. They have a proper place in the overall legislative framework aimed at dealing with unsatisfactory housing conditions and in drafting and reviewing them local housing authorities most certainly should avoid any temptation to regard them as a steady income stream.

49. In this case it is evident to the Tribunal that the Applicant does not have ready access to substantial funds and the imposition of a significant penalty will only delay any possibility of repairs being completed to the Property.
50. The Tribunal accepts entirely that the Applicant has difficulties in dealing with written documentation and that he continues to have personal difficulties in looking after his sister. We take these matters into account. Nevertheless, the Improvement Notice was served on the Applicant on 29th November 2017 and at the time of the Tribunal's inspection only the most serious electrical safety issues had been dealt with although it is accepted that the Applicant replaced the faulty boiler in a timely manner and this was not therefore included in the Improvement Notice.
51. There is also the question of the Applicant's financial position to be taken into account. The Applicant submitted at the Hearing that his income is approximately £350.00 per week, but that due to looking after his Sister in Wales he is not able to work every week. This is accepted by the Tribunal. The Respondent submitted at the Hearing that it had sent a standard form to the Applicant to complete and return if he felt he had financial difficulties but this was not explained to him as would have been preferable having regard to the Applicant's difficulties with written documentation.
52. The Applicant submits that as soon as his tenant, 'Sarah' vacated the Property it has not been let out. The Respondent pursued the Financial Penalty Notice as it believed the house was occupied although on questioning by the Tribunal the Respondent confirmed that it had no evidence from its Council Tax records to support that. The Tribunal therefore determines, on the balance of evidence, that the Property was not tenanted and that therefore no tenant was at risk from any defects to the Property.
53. The Applicant received some £200.00 per calendar month by way of rent from his tenant 'Sarah' for the relatively brief time she occupied the Property. No rent has been received either before or after from any other tenant. As such it is difficult to see how the Applicant has obtained a significant financial benefit from committing the offence. The Applicant earns approximately £350.00 per week when he is working and is currently paying £200.00 per month in Council Tax arrears.

54. All these matters are relevant considerations which, in the Tribunal's view, the Local Authority should have taken into account in the exercise of its discretion in determining the amount of any Financial Penalty rather than slavishly following its Civil Enforcement Policy without giving any consideration to the circumstances surrounding the offence.
55. It is not for the Tribunal to indicate the specific starting point for any offence but it is noted that some other City Authorities do have a significantly lower starting point, as low as £250.00 as indicated above.
56. We have considered the matters listed above and for the First Offence of Failing to Comply with an Improvement Notice (Section 30) we reduce the amount of the Financial Penalty to the sum of £500.00.
57. The Tribunal acknowledges that 'Multiple Significant Hazards' were present and the penalty should reflect that. The Respondent's policy would apply a premium of £2500.00 because of this factor. However, having regard to the circumstances in this case, in particular the Applicants difficulties in dealing with written documentation, the level of the Applicant's income, the fact that the Applicant is looking after his sister who lives in Wales and the fact that the possibility of obtaining a reduction in the amount of the penalty imposed due to his income was not properly explained to him on a face to face basis, the Tribunal reduces the premium in respect of this factor from £2,500.00 to £250.00.

DECISION

58. The Tribunal varies the Financial Penalty under paragraph 10(4) of Schedule 13A Housing Act 2004 to £750.00 (Seven Hundred and Fifty Pounds).

APPEAL

59. If either party is dissatisfied with this decision, they may apply to this Tribunal for permission to appeal to the Upper Tribunal (Lands Chamber). Any such application must be received within 28 days after these written reasons have been sent to the parties (Rule 52 of The Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013).

Graham Freckelton FRICS (Chairman)
First-tier Tribunal (Property Chamber) (Residential Property)