



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

Case Reference : **BIR/00GA/HTA/2020/0001**

Property : **All Saints Court, Bewell Street, Hereford,
HR4 0BA**

Applicant : **All Saints Court (Hereford) Tenants' Association**

Representative : **Adrian Weeks**

Respondent : **Berekdar Developments Ltd**

Representative : **Blocsphere Property Management Limited**

Type of Application : **An application under Section 29 of the Landlord
and Tenant Act 1985 for the recognition of a
Tenants' Association.**

Tribunal Member : **V Ward BSc Hons FRICS – Regional Surveyor**

Date of Decision : **21 July 2020**

DECISION

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BACKGROUND

1. By an application received on 12 June 2020, the Applicant, All Saints Court (Hereford) Tenants' Association, applied for recognition as a Tenants' Association under section 29 of the Landlord and Tenant Act 1985.
2. The Tribunal provided the Landlord with a copy of the application and asked them to confirm if they objected to the recognition of the Applicant as a Tenants' Association under the 1985 Act.
3. On 2 July 2020, the Landlord confirmed that they did not oppose the recognition.
4. In addition, the Tribunal notes that there are 9 members of the association and 14 properties in the development where variable service charges are paid. This represents 64%.
5. A list of members was supplied with the application form.
6. The application confirmed that the association had not previously applied for recognition.
7. The copy of the constitution was headed *All Saints Court (Hereford) Residents' Association* however as the application was in the name of *All Saints Court (Hereford) Tenants' Association* and all other documentation referred to the association in this way, the Tribunal takes this to be simply a typographical error and ignores the same as the intent of the members and application are clear.
8. The copy of the constitution supplied with the application form confirms the following:
 - a) How a leaseholder can become a member of the association and who are entitled to be members.
 - b) The association's decision-making process and rules.
 - c) The mechanism by which officers of the association are appointed.
 - d) The fees and charges payable by members.
 - e) How the association represents its members.
 - f) How the constitution and rules are kept up to date.
 - g) That the association operates in an open and transparent way.
 - h) That the rules and constitution are fair and democratic.

DECISION

9. The Tribunal considers that the Applicant has met the requirements of section 29 of the Landlord and Tenant Act 1985 and the Tenant's Association (Provisions Relating to Recognition and Provision of Information) (England) Regulations 2018 and, accordingly finds that All Saints Court (Hereford) Tenants' Association should be recognised as a tenants' association.
10. The recognition is for a period of 5 years commencing 21 July 2020 and a copy of the certificate is enclosed with this decision.

V Ward

21 July 2020



**First tier Tribunal (Property Chamber)
Residential Property**

CERTIFICATE OF RECOGNITION

An application from All Saints Court (Hereford) Tenants' Association for a Certificate of Recognition under the provisions of Section 29 of the Landlord & Tenant Act 1985, as amended by Paragraph 10 of Schedule 2 to the Landlord and Tenant Act 1987 has been considered by:

Vernon Ward BSc Hons FRICS


who is a person appointed to act as a member of the First-tier Tribunal Property Chamber.

This is to certify that

All Saints Court (Hereford) Tenants' Association

is a Recognised Tenants' Association for the purpose of the aforementioned Section.

The Certificate will be valid for a period of 5 years commencing on 7 July 2020, unless previously cancelled.

Signed.....

(one of the persons appointed by the Lord Chancellor as
a member of the First-tier Tribunal)

21 July 2020