



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

Case Reference : **BIR/31UG/RTB/2021/0006**

Property : **30 Mayfield Street, Melton Mowbray,
Leicester, LE13 0NW**

Applicant : **Simon Whitaker**

Respondent : **Melton Borough Council**

Application : **Right to Buy**

DECISION

On 12th July 2021 the Local Authority served Notice in Reply to Tenants Right to Buy Claim. The Right to Buy was denied because the Property is particularly suitable for occupation by elderly persons under paragraph 11 of Schedule 5 of the Housing Act 1985.

On 28th June 2021 the Applicant applied to the Tribunal.

On 13th July 2021 I issued Directions.

I have now considered Respondent's Statement of Case prepared by a senior solicitor at Melton Borough Council and dated 3rd August 2021. I have also considered Witness Statement of Tracie Waldron dated 2nd August 2021.

The Respondent now accepts the Applicant's entitlement and seeks further Order from the Tribunal.

DECISION

Under paragraph 11(4) of Schedule 5 to the Housing Act 1985 I determine the question in favour of the Applicant.

The Respondent is not entitled to rely on the exception to the right to buy set out in paragraph 11 of Schedule 5 to the Housing Act 1985

D Jackson
Judge of the First-tier Tribunal
5th August 2021