



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

Case Reference : **BIR/00FY/HSL/2021/0001**

Subject Property : **69 Manifold Gardens
Nottingham
NG2 2HU**

Applicant : **Mr T Owugha**

Respondent : **Nottingham City Council**

Type of Application : **Application under paragraph 32(1) of
Schedule 5 to the Housing Act 2004 to
appeal against the revocation of a licence
granted under Part 3 of the Housing Act
2004 in respect of the subject property**

Tribunal Member : **Deputy Regional Judge Nigel Gravells**

Date of Decision : **9 February 2022**

DECISION

- (1) This is a decision on an application under paragraph 32(1) of Schedule 5 to the Housing Act 2004 ('the 2004 Act') by which the Applicant appeals against the revocation of a licence granted by the Respondent Council in respect of the subject property.
- (2) The licence was granted by the Respondent under Part 3 of the 2004 Act on 30 November 2020. The named licence holder was City Lettings (UK) Limited ('City Lettings'), who had been appointed by the Applicant to manage the subject property.
- (3) When the Applicant subsequently dispensed with the services of City Lettings, City Lettings no longer wished to be the licence holder and they requested the Respondent to revoke the licence.
- (4) On 9 November 2021 the Respondent purported to revoke the licence.
- (5) By application received by the Tribunal on 1 December 2021 the Applicant appealed against the Respondent's decision to revoke the licence.
- (6) It subsequently emerged that there had been an administrative error on behalf of the Respondent. On 20 January 2022 the Respondent wrote to the Applicant – (i) stating that in the circumstances it treated the revocation of 9 November 2021 as ineffective and (ii) issuing a new decision revoking the licence effective from 20 January 2022.
- (7) On 21 January 2022 the Tribunal emailed both parties, indicating –
 - (i) that the Tribunal was minded, pursuant to paragraph 34(3) of Schedule 5 to the 2004 Act, formally to reverse the Respondent's revocation decision of 9 November 2021;
 - (ii) that the Tribunal was minded, pursuant to rule 13(2) of the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013, to direct the Respondent to reimburse to the Applicant the application fee of £100.00 paid by the Applicant in respect of his application to the Tribunal;
 - (iii) that, if the Applicant wished to appeal against the new revocation decision of 20 January 2022, he must submit a new application within the 28-day time limit.
- (8) The Tribunal directed that any objection to the proposed action set out in paragraphs (7)(i) and (7)(ii) above must be received by the Tribunal not later than 7 February 2022.
- (9) The Tribunal has received no such objections.

(10) In the circumstances the Tribunal –

- (i) pursuant to paragraph 34(3) of Schedule 5 to the 2004 Act, reverses the Respondent's revocation decision of 9 November 2021;
- (ii) pursuant to rule 13(2) of the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013, directs the Respondent to reimburse to the Applicant the application fee of £100.00 paid by the Applicant in respect of his application to the Tribunal;

9 February 2022

Professor Nigel P Gravells
Deputy Regional Judge