



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

**Case reference** : **VG/LON/00BB/OCE/2021/0166**

**Property** : **Flats A and B, 222 Plashet Grove,  
East Ham, London E6 1DA**

**Applicants** : **Anhar Ali (1)  
Mukesh Karavadra (2)**

**Representative** : **Thirsk Winton LLP, Woodford Green**

**Respondent** : **Gurdial Singh (Missing Landlord)**

**Type of application** : **Application for permission to appeal**

**Tribunal member** : **Mr Charles Norman FRICS (Valuer  
Chairman)**

**Date of decision** : **25 February 2022**

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**DECISION**

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**Covid-19 pandemic: description of determination**

This has been a remote determination on the papers which has been not objected to by the applicant. The form of remote hearing was P:PAPERREMOTE, A face-to-face hearing was not held because no-one requested the same, all issues could be determined on paper, and it is not usual Tribunal practice to hold hearings for permissions to appeal. The additional documents that I was referred to comprise 2 pages.

## **DECISION OF THE TRIBUNAL**

1. The tribunal has considered the applicants' request for permission to appeal dated 19 January 2022 and, having reviewed its decision and being satisfied that a ground of appeal is likely to be successful, it hereby
  - (a) sets aside decision (3) "The amount due to the transferor from the tenants is £1,800."
  - (b) remakes decision (3) as follows: "The amount due to the transferor from the tenants in respect of ground rent is Nil."
  - (c) Amends paragraphs 21 and 22 and in particular finds that the total amount to be paid into court is **£72,527**.
  - (d) Under rule 50 of The Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013, any references to sections 50 and 51 of the Commonhold and Leasehold Reform Act 2002 ("the Act") shall be amended to read sections 26 and 27 of that Act.
2. Having done so, the Tribunal determines that it will review its decision; and a copy of the reviewed and amended decision, re-dated 25 February 2022, is attached.
3. It follows from the above, that the request for permission to appeal is refused.

## **REASONS FOR THE DECISION**

4. The applicants have submitted that by virtue of section 166 of the Act no ground rent is payable unless demanded. As I found that no such ground rent had been demanded, I am satisfied that the applicants' submission is correct. It is unnecessary for me to make further findings as to the relevant limitation period.
5. I accept that owing to a clerical error, incorrect sections of the Act were referenced.
6. The reviewed and amended decision attracts fresh rights of appeal, in exactly the same way as the original decision. This means that the applicant may make a request to this Tribunal for permission to appeal against the reviewed and amended decision; and such a request must be received by the Tribunal within 28 days of the date it is sent to the applicant.

**Name:** Mr Charles Norman FRICS **Date:** 25 February 2022