



All's

FIRST-TIER TRIBUNAL

PROPERTY CHAMBER

(RESIDENTIAL PROPERTY)

Case reference : **CAM/12UE/LSC/2021/0012**

HMCTS code
(paper, video, : **P: PAPER**
audio)

Property : **Various properties at Lavenham Court,**
Botolph Green, Peterborough PE2 7ZF

Applicant : **Various leaseholders as listed in the**
application

Representative : **Mr T Palmer, leaseholder of 24 and 28**
Lavenham Court

Respondent : **Holdings & Management (Solitaire) Ltd**

Representative : **Mr R Alford of counsel**

Type of application : **For the determination of the liability to**
pay service charges under section 27A of
the Landlord and Tenant Act 1985

Tribunal members : **Judge S Brilliant**
Mr R Thomas MRICS

Date of hearing : **05 August 2021**

Venue : **Cambridge County Court,197 East Road,**
Cambridge CB1 1BA

Date of decision : **13 December 2021**

Date of
reimbursement of
fees decision : **13 April 2022**

DECISION

The application

1. In our substantive decision dated 13 December 2021, we found that the applicants were overwhelmingly successful in their challenge to the service charges claimed by the respondent. Subsequently, we made a s.20C ruling in favour of the applicants dated 10th February 2022.
2. At the hearing the applicants also asked for reimbursement of the tribunal fees. This is pursuant to r.13 (2) Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013.
3. This was not dealt with in either of the earlier decisions. Mr Palmer of the applicants again requested reimbursement by an email to the tribunal dated 12 March 2022.
4. On 25 March 2022, the respondent replied to the application arguing that the period for appealing and seeking to add in an additional costs liability into the decision had long since passed, so the applicant should accordingly now be prohibited from doing so.
5. Since Mr Palmer did make the application at the end of the hearing, and the tribunal has hitherto not dealt with it, we consider that we have jurisdiction to order reimbursement in the sum of £300 which we now do.

Name: Simon Brilliant

Date: 13 April 2022

Rights of appeal

By rule 36(2) of the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013, the tribunal is required to notify the parties about any right of appeal they may have.

If a party wishes to appeal this decision to the Upper Tribunal (Lands Chamber), then a written application for permission must be made to the First-tier Tribunal at the regional office which has been dealing with the case.

The application for permission to appeal must arrive at the regional office within 28 days after the tribunal sends written reasons for the decision to the person making the application.

If the application is not made within the 28-day time limit, such application must include a request for an extension of time and the reason for not complying with the 28-day time limit; the tribunal will then look at such reason(s) and decide whether to allow the application for permission to appeal to proceed, despite not being within the time limit.

The application for permission to appeal must identify the decision of the tribunal to which it relates (i.e. give the date, the property and the case number), state the grounds of appeal and state the result the party making the application is seeking.

If the tribunal refuses to grant permission to appeal, a further application for permission may be made to the Upper Tribunal (Lands Chamber).