



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

**Case Reference** : **BIR/OOCQ/HBA/2022/0001**

**Applicant** : **Coventry City Council**

**Respondent** : **Mr Carmelo Borsellino**

**Date** : **29<sup>th</sup> July 2022**

---

**BANNING ORDER  
Housing and Planning Act 2016**

---

- 1) This Banning Order is made pursuant to sections 14 to 18 of the Housing and Planning Act 2016

**IMPORTANT**

**A person who breaches a banning order commits a criminal offence. The respondent's attention is drawn to the provisions of section 21 Housing and Planning Act 2016.**

- 2) For the reasons given in the decision of the Tribunal dated 29<sup>th</sup> July 2022.

IT IS ORDERED THAT

The Respondent, Mr Carmelo Borsellino (date of birth 6<sup>th</sup> August 1943) of 258 Cheveral Avenue, Radford, Coventry CV6 3EP

With effect from 8<sup>th</sup> September 2022 until 27<sup>th</sup> October 2023 is banned from:

- a) Letting housing in England,
- b) Engaging in English letting agency work,
- c) Engaging in English property management work, or
- d) Doing two or more of those things.

and is also banned from being involved in any body corporate that carries out an activity that he is banned by this order from carrying out (for this purpose a person is "involved" in a body corporate if the person acts as an officer of the body corporate or directly or indirectly takes part in or is concerned in the management of the body corporate)

- 3) The date specified in paragraph 2 above as the date on which the Order is to commence is six weeks from the date of the Tribunal's decision to make a Banning Order. This six-week period is to enable the Respondent to appoint an independent and professionally qualified managing agent in respect of his rental properties known as 12-14 Lower Ford Street, Coventry CV1 5QJ and 400 Swan Lane, Coventry CV2 4QS. So long as such agent is appointed and the Applicant notified in writing by the appointed agent of his appointment, the Respondent can (via the agent only) engage in (a) letting housing in England. In the absence of the appointment of an agent, the Banning Order shall take full effect and the Respondent must seek vacant possession of the said properties within a further period of 6 months and during which period he will not be treated as in breach of this Order whilst current tenancies subsist, but will be in breach if he grants any new tenancies or fails to obtain possession within the period specified.

- 4) Either party may appeal this Order to the Upper Tribunal (Lands Chamber) but must first apply to the First-tier Tribunal for permission. Any application for permission must be in writing, stating grounds relied upon, and be received by the First-tier Tribunal no later than 28 days after the Tribunal sends its written reasons for the Decision to the party seeking permission.

Dr Anthony Verduyn  
Judge of the First-tier Tribunal

EXPLANATORY NOTES:

- 1) A person who is subject to a banning order that includes a ban on letting may not make an unauthorised transfer of an estate in land to a prohibited person. Any such transfer is void (section 27 of the Housing and Planning Act 2016).
- 2) A breach of a banning order does not affect the validity or enforceability of any provision of a tenancy or other contract.
- 3) A person against whom a banning order is made may apply to the Tribunal for an order varying or revoking the order, pursuant to section 20 of the Housing and Planning Act 2016.
- 4) The expressions “English letting agency work” and “English property management work” have the meanings given to them in sections 54 and 55 of the Housing and Planning Act 2016.
- 5) The expression “involved in a body corporate” has the meaning given to it in section 18 of the Housing and Planning Act 2016