



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

Case Reference : **MAN/00DA/OLR/2021/00180019,0020,0021,
0022,0023,0024,0025,0026,0027,0028,0033
0034,0039**

Property : **1,3,5,6,7,12,12A,14,15,16,17,19,23 & 24 The
Hall, Allerton Hill, Chapel Allerton, Leeds,
LS7 3NZ**

Applicant : **Various Leaseholders**

Respondent : **Allerton Hill (CB) Limited
Allerton Hill (BH) Limited
Allerton Hill (CY) Limited**

**Type of
Application** : **s48(1) Leasehold Reform Housing and Urban
Development act 1993**

Tribunal Members : **Mr John Murray LLB
Mr Neil Swain MRICS**

Date of Decision : **7 October 2022**

REVIEW DECISION

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DECISION

The Tribunal determines the premiums in accordance with the attached calculations and determined that the premiums payable for lease extensions for the individual apartments will be:

Flat 1: £10453

Flat 3: £10402

Flat 5: £10428

Flat 6: £10415

Flat 7: £10415

Flat 12: £10428

Flat 12A: £10428

Flat 14A: £10428

Flat 15: £10428

Flat 16: £10505

Flat 17: £10776

Flat 19: £10428

Flat 23: £10428

Flat 24: £10505

BACKGROUND

The Tribunal made a decision on the premiums to be paid for the grant of 90 year lease extensions under s48(1) Leasehold Reform Housing and Urban Development Act 1993 for 14 apartments at The Hall, Allerton Hill Chapel Allerton Leeds LS7 3NZ on the 8 July 2022. The decision was sent to the parties on the 24 August 2022.

The Respondents sought detailed calculations to support the figures.

On 13 September 2022 an appeal was made on behalf of the Respondents by Mr. Andrew Cohen, RICS Registered Valuer. The basis of the appeal was that the Tribunal has only capitalized the existing ground rent at 6.4% but made no allowance in respect of the likely increase at the next review.

21 September the Respondents made a formal appeal.

INTRODUCTION

1. Under Rule 55 of The Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013 the Tribunal may set aside its original decision and substitute a new decision on an application for permission to appeal pursuant to Rule 53, if it is satisfied that the ground of appeal is likely to be successful.
2. The Tribunal has considered its decision in further detail and accepts that as at the valuation date there had been underlying growth in the ground rent receivable at the next review date (2026), by reference to the agreed capital value for each of the properties and, by extrapolation, the capital value for the development as a whole.
3. The Respondent is therefore correct in their premise that the Tribunal should have taken into account this increased ground rent at the next rent review in 2026.
4. Therefore, the Tribunal has reviewed its valuations for all fourteen applicant properties and adjusted the valuations to take into account the projected increased ground rent receivable as at the 2026 review date.
5. The Tribunal's decision results in increasing the amount that the leaseholders have to pay (except for Flat 17, which sees a decrease), which are set out at the top of this decision. The detailed calculations are provided at Appendix A to this decision.

The Parties are hereby notified that the Tribunal has made this decision following a review without first giving every party an opportunity to make representations, the notice under paragraph (2) must state that any party that did not have an opportunity to make representations may apply for such action to be set aside and for the decision to be reviewed again.

**Tribunal Judge
John Murray**

7 October 2022