



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

Case Reference : **MAN/00DA/OAF/2022/0020**

Premises : **14 Pullman Crescent, Leeds, LS12 6EJ**

Applicants : **Richard Martin Croft and Tracey Dawn Croft**

Representative : **Adcocks Solicitors Ltd.**

Respondent : **persons unknown**

Type of Application : **to determine the price payable for the freehold interest under s.9 of the Leasehold Reform Act 1967.**

Tribunal Members : **Judge P Forster
Mr J Faulkner FRICS**

Date of Decision : **18 October 2022**

DECISION

© CROWN COPYRIGHT 2022

Decision

The price payable by the Applicants for the freehold interest in 14 Pullman Crescent, Leeds, LS12 6EJ is £169.

Introduction

1. By an order made on 21 March 2022 in the County Court at Leeds the claim between Richard Martin Croft and Tracey Dawn Croft (“the Applicants”) in the

present case) v Persons Unknown (“the Respondents” in the present case) under case number J00LS079 was transferred to the First-tier Tribunal (Property Chamber) to determine the price payable for the freehold interest in 14 Pullman Crescent, Leeds, LS12 6EJ (“the Premises”) in accordance with s.9 of the Leasehold Reform Act 1967 (“the Act”).

2. The Applicants are the tenant of the Premises, which comprises “a house” within the meaning of s.2(1) of Act. The Applicants’ tenancy is a “long tenancy” within the meaning of s.3(1) of the Act and at the date of claim, the Applicants have been the tenant under a long tenancy for at least two years and are the freehold owners of the remainder of the house. The Applicants are prevented from giving notice of their desire to have the freehold transferred to them because the person to be served with notice cannot be found and their identity cannot be ascertained.
3. By virtue of s.27(1) of the Act, on 21 March 2022, the County Court, vested the freehold interest in the leasehold part of the Premises in the Applicants.

The Premises

4. From the information provided by the Applicants, the Premises is a three-story three semi-detached house built about three years ago by Taylor Wimpey. It comprises living room; kitchen; cloakroom and wc, three bedrooms and two bathrooms with wc and has a driveway which can accommodate two parked cars.
5. The leasehold title to the Premises is registered at HM Land Registry under title number YY1200738. The lease of the land which includes the Premises was granted on 25 March 1661 for a term of 500 years from 25 July 1661. The original parties to the lease were (1) William Wise and (2) Richard Bland. The remainder of the term granted by the lease was purchased by Taylor Wimpey UK Ltd. In 2014 for the purpose of developing the site and building a number of properties including the Premises.
6. On 4 April 2019, an assignment of part of the land comprised in the lease was made in respect of the Premises between Taylor Wimpey UK Ltd. and the Applicants. When the Applicants purchased the freehold of the Premises, they had no knowledge that the developer only owned the leasehold interest in the land on which the Premises is built. The developer has admitted it is not the freehold owner and cannot transfer the freehold interest to the Applicants.
7. For the purposes of the applicable financial limit specified in s.1(1)(a)(ii) of the Act on the date the tenancy was entered into the value of “R” did not exceed £25,000 under the statutory formula under s.1(1)(a)(ii) of the Act. The annual

<u>Term 2</u>	entirety value	£245,000	
	site apportionment @ 37.5%	<u>£91,875</u>	
	modern ground rent @ 4.75%	£4,364	
	YP 50 years deferred 139 years @4.75%	<u>0.0300</u>	£131
<u>Reversion</u>	standing house value	£245,000	
	PV of £1 in 189 years @4.75%	0.000155	£38
<u>Enfranchisement price</u>	(excluding costs)		<u>£169</u>

Judge P Forster

18 October 2022

RIGHT OF APPEAL

A person wishing to appeal this decision to the Upper Tribunal (Lands Chamber) must seek permission to do so by making written application to the First-tier Tribunal at the Regional Office, which has been dealing with the case.

The application must arrive at the Tribunal within 28 days after the Tribunal sends to the person making the application written reasons for the decision.

If the person wishing to appeal does not comply with the 28-day time limit, that person shall include with the application for permission to appeal a request for an extension of time and the reason for not complying with the 28-day time limit; the Tribunal will then decide whether to extend time or not to allow the application for permission to appeal to proceed.

The application for permission to appeal must identify the decision of the Tribunal to which it relates, state the grounds of appeal, and state the result the party making the application is seeking.