



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

Case reference : **LON/00BK/LSC/2022/0313**

Property : **58 Maitland Court, Lancaster Terrace,
London W2 3PE**

Applicant : **Maitland Court Limited**

Representative : **Mr Peter Jolley counsel instructed by
Wagner & Co, Solicitors**

Respondent : **Mr Khalid Qayyum Rana (1)
Mrs Rubanashafi Rana (2)**

Representative : **Mr Rana in person for himself and Mrs
Rana**

Type of application : **Para 5A Schedule 11 Commonhold and
Leasehold Reform Act 2002.**

Tribunal members : **Mr Charles Norman FRICS Valuer
Chairman
Mrs Louise Crane MCIEH**

**Date and Venue of
hearing** : **3 April 2023
10 Alfred Place, London WC1E 7LR**

Date of decision : **31 August 2023**

DECISION

1. Following the issuing of the Tribunals decision of 10 April 2023, the respondent, acting through counsel, made an application dated 9 May 2023 for an order under Para 5A Schedule 11 Commonhold and Leasehold Reform Act 2002, to reduce or extinguishing the tenant's liability to pay a particular administration charge in respect of litigation costs.
2. Taking into account the determinations in the decision of 10 April 2023 as amended on 31 August 2023, the Tribunal determines that an order be made that not more than half the applicant's administration charges in respect of litigation costs may be recovered via the service charge.
3. The reasons are (i) neither party has been wholly successful. Although the amount found payable of £259.74 was small compared to the initial claim of £5,560.24 (reduced by Judge Pittaway to £4,497.36 in October 2022) the applicant had been entitled to £259.74 since November 2022 and that amount was admitted in the appeal application¹ (ii) there was no evidence of any offer by the respondent to settle this action (iii) the property is a self-managed block owned by the residents and (iv) even a successful party can have no expectation of a s. 20C order *Tenants of Langford Court v Doren Limited* [2001] 3WLUK 935, which by parity of reasoning the Tribunal considers applies equally to this application.

Name: Mr Charles Norman FRICS **Date:** 31 August 2023

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

¹ Para 29

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).