



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

Case reference : **BIR/00FN/LAM/2023/0002**

Properties : **Stoughton Court, 24 Stoneygate Road,
Leicester LE2 2AD**

Applicants : **Mr Andrew Willis (1)
Ms Claire Simmons (2)**

Representative : **Mr Andrew Willis**

Respondents : **The Respondents listed in the appendix
to this decision**

Representative : **Frisby & Small, Solicitors (for the
leaseholder of flat 8 only)**

Type of application : **Application by a Tenant for the variation
of an order appointing a manager under
Section 24(9) of the Landlord and Tenant
Act 1987**

Tribunal members : **Judge C Goodall
Mr G Freckelton FRICS**

**Date and place of
hearing** : **4 & 5 December 2023**

Date of decision : **7 December 2023**

DECISION

© CROWN COPYRIGHT 2023

Background

1. On 7 October 2020, this Tribunal made an order (“the Order”) appointing Ms Lyndsey Cannon-Leach to be the tribunal appointed manager of the Property from that date for a period of three years.
2. On 6 March 2023, the Applicants applied for a variation of the Order (“the Application”). They seek the appointment of an alternative manager, Mrs Alison Mooney, the extension of the Order for a further period of time, and certain variations to the terms of the Order.
3. The period of the appointment was extended beyond its expiry date by direction of Deputy Regional Judge Barlow in directions dated 11 May 2023. She ordered that the appointment is extended until the Application is finally determined.
4. On 4 & 5 December 2023, the Tribunal conducted an oral hearing of the Application.
5. In the interests of certainty and clarity for all parties, we issue this short decision now. We will issue a set of full reasons for our decision and a varied Management Order in due course.

Decisions

6. The existing Order will continue in full force and effect until midnight on 31 December 2028, with the current manager, Ms Cannon-Leach continuing in post until 31 December 2023.
7. From 1 January 2024, the Order is varied so as to appoint Mrs Alison Mooney as the manager in place of Ms Lyndsey Cannon-Leach from that date.
8. The terms of the Order will also be varied, but until the variations are produced, the terms of the existing order will apply with the substitution of Ms Cannon-Leach for Mrs Mooney as the manager.

Handover

9. The new terms of the Order will include formal provisions concerning handover of responsibility from Ms Cannon-Leach to Mrs Mooney, but the Tribunal authorises Ms Cannon-Leach (if she wishes) to delegate her authority to Mrs Mooney and to engage in informal discussions from the date of this order for the purpose of:
 - a. agreeing arrangements for handover, and
 - b. taking such actions as are deemed necessary to deal with a fire enforcement notice that the Tribunal understands has been served upon Ms Cannon-Leach by Leicestershire Fire and Rescue Authority;

- c. dealing with such day to day management matters as may arise.

Appeal

10. Any appeal against this decision must be made to the Upper Tribunal (Lands Chamber).
11. Prior to making such an appeal the party appealing must apply, in writing, to this Tribunal for permission to appeal within 28 days from the date that written reasons are sent to the party wishing to appeal (or, if applicable, within 28 days of any decision on a review or application to set aside) identifying the decision to which the appeal relates, stating the grounds on which that party intends to rely in the appeal, and stating the result sought by the party making the application.
12. This decision does not contain the written reasons for our decision. Time for appealing does not start to run until the issue of the written reasons.

Judge C Goodall
First-tier Tribunal (Property Chamber)

Appendix

Respondents

Talvinder Singh Billen and Satbir Kaur Billen (Freeholder and lessees of Flat 1)

Jit Kaur (Flat 2)

HussainMalik and Tahseen Malik (Flat 7)

Mohammed Salim Rezah Boodhoo (Flat 8)

Charnjit Kaur Minhas (Flat 10)

Rajinder Singh Dosanjh and Paramit Dosanjh (Flat 11)

Steve Gill and Michelle Gill (Flat 12)

Lyndsey Cannon-Leach (current manager)

Alison Mooney (prospective manager)

Stoughton Court (RTM) Company Limited