



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

**Case reference** : **LON/00AK/OCE/2024/0060**

**HMCTS code (paper, video, audio)** : **P: PAPER REMOTE**  
**00**

**Property** : **14 Umfreville Road, London, N4 1SB**

**Applicant** : **Jan Sebastien Verwijs**

**Representative** : **Wilson Browne Solicitors**

**Respondent** : **John Stephen Williams**

**Representative** : **Not applicable (missing landlord)**

**Type of application** : **Application under sections 26 and 27 of the Leasehold Reform Housing and Urban Development Act 1993**

**Tribunal members** : **Judge N Hawkes**  
**Ms M Krisko FRICS**

**Venue** : **10 Alfred Place, London WC1E 7LR**

**Date of paper determination** : **21 May 2024**

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**DECISION**

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## **Decisions of the Tribunal**

- (1) The Tribunal determines that the price to be paid for the freehold interest in the Property is £16,843, of which £7,911 is attributable to Flat 1, £8,882 is attributable to Flat 2, and £50 is attributable to appurtenant land.
- (2) The Tribunal is not satisfied that there is any pecuniary rent payable for the Property which remains unpaid.

## **The Background**

1. This is an application pursuant to a vesting order made by Deputy District Judge Boon at the County Court at Edmonton on 31 October 2023 under section 26 of the Leasehold Reform Housing and Urban Development Act 1993 (“the 1993 Act”).
2. Section 26(1) of the 1993 Act concerns claims for collective enfranchisement where the relevant landlord cannot be found. It enables the Court to make a vesting order in respect of any interests of the landlord which are liable to acquisition.
3. Under section 27 of the 1993 Act, the role of the Tribunal is to determine the appropriate sum to be paid into court in respect of the landlord’s interests.
4. The Applicant in this matter is the nominee purchaser of 14 Umfreville Road, London, N4 1SB (“the Property”). The Respondent is the freehold owner of the Property. The Property is a mid terrace house which has been converted into two flats.
5. On 25 July 2022, the Applicants issued a Part 8 Claim for an order pursuant to section 26(1) of the 1993 Act vesting the freehold interest in the Property in the Applicant. The Applicant has been unable to ascertain the whereabouts of the Respondent and he was therefore unable to serve a notice on the Respondent pursuant to section 13 of the 1993 Act.
6. The order made on 31 October 2023 (and sealed on 18 November 2023), includes provision that:

*“...the Claimants shall make an application to the First Tier Tribunal for a determination as to:*

*a. The price payable for the freehold of the Property in accordance with section 27(5)(a) of the Act; and*

*b. The amount or estimated amounts of any pecuniary rent payable for the Property up to the date of the conveyance which remains unpaid in accordance with section 27(5)(b) of the Act.*

...”

7. In support of the application, the applicants rely upon the written valuation evidence of Mr Richard David Stacey MRICS of Websters Surveyors dated 3 May 2024.

### The Determination

8. The Tribunal accepts the evidence relied upon and the opinions expressed by Mr Stacey in his valuation report. Accordingly, for the reasons set out in Mr Stacey’s report, the Tribunal determines that the price to be paid for the freehold interest in the Property is £16,843, of which £7,911 is attributable to Flat 1, £8,882 is attributable to Flat 2, and £50 is attributable to appurtenant land.
9. The total ground rent payable in respect of each flat would be £2,209 if the ground rent were payable, properly demanded and never paid.
10. However, the Tribunal is not satisfied on the balance of probabilities on the available evidence, that the Respondent has given the leaseholders at the Property an address for service of notices as required by s.48(1) of the Landlord and Tenant Act 1987 (“the 1987 Act”). Accordingly, “any rent or service charge otherwise due ... shall ... be treated for all purposes as not being due” (s.48(2)) and the Tribunal is not satisfied that there is any pecuniary rent payable for the Property which remains unpaid.

Judge N Hawkes

21 May 2024