



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

Case reference : **LON/00AL/LRM/2024/0009**

Property : **83-87 Greenwich High Road, London
SE10 8JL**

Applicant : **87 Greenwich High Road RTM Company
Ltd**

Representative : **Mr S Madge-Wylde, counsel**

Respondent : **Chadd Properties Limited**

Representative : **No appearance**

Type of application : **Application in relation to the denial of
the Right to Manage under s.84(3) of the
Commonhold and Leasehold Reform
Act 2002**

Tribunal members : **Judge Tagliavini
Mr J Naylor FRICS FIRPM**

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

Date of decision : **27 August 2024**

DECISION

Decisions of the tribunal

- (1) The applicant is entitled to acquire the right to manage the subject promises registered under Title No. TGL319668 with effect from three months after the decision of the First-tier Tribunal becomes final.***

**It was expressly requested by the applicant that the tribunal should not include a precise date that is three months from the date of the decision, i.e. 27 November 2024, as the respondent might choose to exercise its rights of appeal.*

The application

1. This is an application under section 84(3) of the Commonhold and Leasehold Reform Act 2002 (the 2002 Act) for a decision that, on the relevant date the applicant RTM company was to acquire the Right to Manage ('RTM') premises registered under **Title No. TGL319668** and known variously as **83-87 Greenwich High Road, London SE10 8JL and 87 Greenwich High Road, London SE10 8J.**

The hearing

1. The applicant was represented by Mr Madge-Wyld of counsel. The respondent did not appear and was not represented.
2. At the hearing, the applicant relied upon a bundle of 64 digital pages and a witness statement of Robert Andrew Kittler dated 23 August 2024. The applicant also provided a copy of the registered title as this had not been included in the bundle.

The background

3. By a Claim Notice dated 2 December 2023 the applicant gave notice to the respondent that it intends to acquire the right to manage the subject property on 19 April 2024. The respondent served a counter-notice dated 17 January 2024 which denied the applicant's right to acquire the RTM on the grounds that:
 - (i) The premises specified in the Notice are not premises to which s.72(1) of the 2002 Act applies.
 - (ii) The applicant RTM company is not a RTM company as defined by s.73(2) of the 2002 Act.

- (iii) The Claim Notice has not correctly identified the premises as required by s.80(2) of the 2002 Act
- 4. Subsequently, the respondent failed to comply with the tribunal's directions dated 9 May 2024 and gave no further particulars of the matters alleged in its counter-notice. Consequently, the applicant made an application to debar the respondent from paying any further role in the application. However, as the respondent failed to attend the substantive hearing, the applicant did not pursue this application and therefore the tribunal made no decision in respect of it.

Reasons for the tribunal's decision

- 5. The tribunal was satisfied from the documents provided by the applicant that it is entitled to acquire the RTM of the subject premises
- 6. The tribunal is satisfied the premises, comprising 14 flats on five floors over ground floor commercial premises and as seen by the tribunal on Google Street view, are premises to which s.72(1) of the 2002 Act applies and have been correctly identified in the Claim notice as required by s.80(2) of the 2002 Act.
- 5. Further, the tribunal is satisfied the RTM Company is a properly constituted company for the purposes of acquiring the RTM pursuant to s.72(1) of the Act.
- 6. Therefore, the tribunal finds the applicant is entitled to acquire the right to manage the subject property registered under Title No. TGL319668 with effect from three months after the decision of the first-tier Tribunal becomes final.

Name: Judge Tagliavini

Date: 27 August 2024

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 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).