



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

**Case Reference** : CHI/29UN/LVM/2022/0004

**Property** : Samuel Court, 10-12 Athelstan Road,  
Cliftonville CT9 2BA

**Applicant** : Ethel Properties Limited (Flat 9)  
Christine Jakobson and Peter  
McPherson (Flat 12)  
Linda Green (Flat 10)

**Representative** : Wade Barker

**Respondents** : Mr Colin Rouse Flat 1  
Mr Jason Allen Flat 2  
Coward Projects Limited  
Flat 3  
Mr Maxwell Hendy Flat 4  
Mr James Harris (deceased) and Ms  
Kathleen Harris Flat 5  
Mr Thomas Richards Flat 6  
Alexander Taylor Flat 7  
Mr Robin Cross Flat 8  
Ms Linda Green Flat 10  
RS Homes Kent Ltd Flat 11  
The Crown Estate

**Representative** : None

**Appointed Manager** : Mark Blooman MRICS

**Type of Application** : Application to vary Management  
Order

**Tribunal Member(s)** : Tribunal Judge H Lederman

**Date of Hearing** : Decision on Papers

**Date of Decision** : 18 December 2024

## DECISION

- 1. The order of 2 September 2022 appointing Mr Mark Blooman MRICS as manager of the Property (“the Order”) shall continue in force until 22 May 2025 or such earlier date as may be determined upon an application to the Tribunal.**
- 2. Any leaseholder, the Manager or the Crown, may apply to vary this Order or the order upon providing notice to each of the other parties to this Order.**
- 3. The Applicants are directed to send a copy of this Order to all of the leaseholders, the manager and The Crown Estate at 1 St James’s Market London SW1Y 4AH [enquiries@thecrownestate.co.uk](mailto:enquiries@thecrownestate.co.uk) within 14 day of the date when this Order was sent to the Applicants.**

**This is a formal order of the Tribunal which must be complied with by the parties.**

**The parties must comply with the Statement on Tribunal Rules and Procedure and the Guidance on PDF bundles which are enclosed with these directions (if not already provided).**

**Communications to the Tribunal MUST be made by email to [rpsouthern@justice.gov.uk](mailto:rpsouthern@justice.gov.uk). All communications must clearly state the Case Number and address of the premises.**

### **Background**

1. The Applicants seek an order to vary an order appointing a manager of the Property made by the Tribunal on 2 September 2022 (“the Order”) in their application dated 7<sup>th</sup> May 2024. The Order appointed Mr Mark Blooman MRICS as manager of the Property for a period of two years from 22 May 2022 to 22 May 2024.
2. The Tribunal varied the Order on 15<sup>th</sup> May 2024 and on 3<sup>rd</sup> July 2024, on each date by making an interim order appointing Blooman MRICS as manager of the Property until such time as the application to vary the Order has been determined by the Tribunal.

3. At the time of the Order in 2022 the freeholder of the property was Samuel Court Residents Association Limited. The application form stated that Samuel Court Residents Association Limited was dissolved and that ‘certain leaseholders are in the process of trying to acquire the freehold of the Property from the Crown’.
4. The Applicants are the leaseholders of Flats 9, 10 and 12 of the Property. Samuel Court Residents Association Limited, the freeholder of the property was dissolved on 5 October 2021. The Respondents to these proceedings are intended to be the remaining leaseholders and the Crown.
5. On 3<sup>rd</sup> July 2024, the Tribunal directed the Applicants:
  - A. to serve copies of the application, Mr Barker’s witness statement and these directions upon the Manager and all leaseholders by 5 pm on 7<sup>th</sup> July 2024 . They must confirm they have done so to the Tribunal.
  - B. By 5pm on 7<sup>th</sup> August 2024 Mr Blooman must confirm to the Tribunal and all leaseholders whether he agreed to an extension of his appointment.
  - C. By 5pm on 21<sup>st</sup> August 2024 all respondents should return the attached form confirming whether or not they agree to the extension of the appointment of Mr Blooman.
  - D. If Mr Blooman consents to the extension and no objections to this are received the Tribunal will determine the matter on the papers. If Mr Blooman does not consent and/or any objections are received the Tribunal shall issue further directions including listing the matter for a hearing.
6. On 9<sup>th</sup> July 2024 Mr Wade the Applicants’ representative wrote to the Tribunal as follows:

“I can confirm that pursuant to Direction 8 copies of the application, Mr Barker’s witness statement and the Directions were served upon the Manager and all leaseholders before 5.00pm on 17 July 2024.”
7. Mr Wade has previously exhibited evidence that Samuel Court Margate Freehold Limited (no 15767714) (“SCMF”) was incorporated on 7<sup>th</sup> June 2024 by some of the Leaseholders to acquire the freehold from the Crown (statement 11<sup>th</sup> June 2024). The Crown previously disclaimed any interest and title in the Property by notice under section 1013 of the Companies Act 2006 on 3<sup>rd</sup> June 2024.
8. In his statement of 11<sup>th</sup> June 2024 Mr Wade anticipated that the acquisition of the property from the Crown “may take until May 2025 to complete but it is hoped that the acquisition will take place sooner than that”.
9. No objections to the variation of the management order have been received from any of the leaseholders.

10. A statement from Mark Blooman MRICS the manager, of 6<sup>th</sup> August 2024 confirms:
  - “3. I have had sight of the Tribunal Directions dated 3 July 2024.
  4. Pursuant to Direction 9, I confirm that I agree to an extension of my appointment.
  5. I confirm that a copy of this witness statement has been sent to all leaseholders.”
11. Only 2 forms from leaseholders of the Property have been received. One dated 6<sup>th</sup> August 2024 from Thomas Richards Flat 6. He agrees with the application. A second from Zoe Coward of GD Coward Property Services Limited for Flat 3 dated 16<sup>th</sup> July 2024 has also been received. Companies House records show this company was known as Coward Projects Limited (Company number 11203261) as from September 2024.
12. The leaseholders of Flat 3 were previously described as Satvinder Singh Bains and Pavrip Kaur Bains in the order made on 2<sup>nd</sup> September 2022. It is assumed that Coward Projects Limited (Company number 11203261) is now the registered proprietor of Flat 3.
13. It appears that no party objects to the extension of the order appointing Mr Blooman. Without an extension, no one will be legally responsible for the management of the Property until the question of ownership of the freehold is resolved.
14. It appears from Companies House records that Wade Barker and Ethel Properties Limited are associated with Sustainable Property Management Limited (07753271) trading as Bamptons managing agents.
15. It is just and convenient to extend the Order until 22<sup>nd</sup> May 2025. By that time it should be known whether the proposal of SCMF to acquire the freehold will complete and if so when.
16. If property disclaimed by the Crown consists of freehold land, the freehold title will be extinguished on disclaimer and the property will escheat to the Crown Estate. This means it is necessary for the Crown Estate to be served with these proceedings: see <https://www.thecrownestate.co.uk/about-us/faqs>.

H Lederman Tribunal Judge

18 December 2024

### **RIGHTS OF APPEAL**

1. 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.
2. 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.
3. 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.
4. 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.