



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

Case reference : **AGR/LON/00BC/OAF/2024/0008**

Property : **169 Pembroke Road, Ilford, IG3 8PG**

Applicant : **Mr Philip Stuart Clark**

Representative : **Thirsk Winton LLP**

Respondent : **Mrs L Thomas**

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

Type of application : **Application under sections 21(1) and 27(5) of the Leasehold Reform Act 1967 (“the 1967 Act”)**

Tribunal members : **Ian B Holdsworth FRICS**
RICS Registered Valuer

Venue : **Remote**

Date of paper determination : **21 January 2025**

DECISION

Decision of the Tribunal

- (1) The tribunal determines that the price to be paid by the applicant for the purchase of the freehold on statutory terms is **£54**.

The Background

1. This is an application under section 21 (1) (a) of the 1967 Act pursuant to an order made by District Judge Mauger sitting at the County Court at Central London on 13 December 2023 (“**the order**”).
2. Sections 21(1) and 27(5) of the 1967 Act concerns claims for the purchase of the reversionary freehold interest 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(5)(a) of the 1967 Act, the role of the tribunal is to determine the appropriate sum to be paid into court in respect of the landlord’s interests. This to be done in accordance with section 9 of the 1967 Act.
4. The applicant in this matter is Mr Philip Stuart Clark. He is the qualifying tenant of 169 Pembroke Road, Ilford, IG3 8PG (“**the Property**”) with a long tenancy within the meaning of section 3(1) of the 1967 Act. The respondent freehold owner is Mrs L Thomas.
5. On 25 April 2023 following an Application to Court on 20 April 2023, a Part 8 Claim was issued at Central London County Court for an order pursuant to section 21(1) of the 1967 Act seeking the freehold of the Property.
6. The applicant has been unable to ascertain the whereabouts of the respondents. The applicant subsequently applied for a vesting order under section 27(1) of the 1967 Act. The vesting order was granted subject to the determination of this tribunal.
7. The applicant has provided the tribunal with a valuation report prepared by Mr Richard Murphy Dip. Surv., MRICS, RICS Registered Valuer. Mr Murphy is a principal in the general practice firm, Richard John Clarke Chartered Surveyors dated 19 August 2024
8. Mr Murphy is of the view that the premium to be paid for the freehold is £54 as at the valuation date adopted of 25 April 2023.

The Determination

9. After scrutiny the tribunal accepts the opinions expressed by Mr Murphy in his valuation report dated 19 August 2023. The tribunal acknowledge the long dated reversion of the freehold interest, which is in excess of 870 years has a nominal current value. The £54 premium payment is

compensation for the loss to the freeholder of the £3.80 annual ground rent which is currently payable by the leaseholder for the remainder of the term. This payment will cease at enfranchisement.

10. Accordingly, the tribunal determines that the premium to be paid in respect of the purchase of the freehold of the property is **£54**.
11. This matter should now be returned to the County Court sitting at Central London under **Claim Number K01CK533** for the final procedures to take place.

Ian B Holdsworth Valuer Chairman

Date: 21 January 2025

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 (ie, 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.