



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

Case reference : **CAM/00MD/OCE/2024/0602**

Property : **153 and 153a
Stafford Avenue
Slough SL2 1AR**

Applicant : **Sukhmej Singh Purewal
Jaswinder Kaur Purewal**

Representative : **Chhokar & Co Solicitors**

Type of application : **Sections 21/27 of the Leasehold
Reform Act 1967 (missing landlord)**

Tribunal : **Judge David Wyatt**

Date of directions : **6 March 2025**

DIRECTIONS

- **These directions are formal orders and must be complied with. The parties are referred to the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rule 2013 (“the 2013 Rules”).**
- **If the applicant fails to comply with these directions the tribunal may strike out all or part of its case pursuant to rule 9(3)(a) of the 2013 Rules.**
- **Non-compliance could also result in the tribunal making a determination on costs pursuant to rule 13 of the 2013 Rules.**

DIRECTIONS

1. Provided that the applicant complies with the following directions the price (and, if appropriate, other terms of acquisition) will be determined on the basis of the documents in the bundle to be produced as directed below, without an oral hearing (paper track)¹.

¹ Rule 31(3)(a) The Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013.

2. The application will however be determined at an oral hearing if:-
 - a. by **28 March 2025** any party requests an oral hearing; or
 - b. the applicant fails to comply with the following directions or the tribunal decides that a hearing is necessary.
3. A copy of these directions should be given to the applicant's solicitor and valuer to avoid the additional cost of their having to attend an oral hearing.
4. If the applicant has become aware of any current contact details for the defendant in the county court proceedings (the landlord), they must by **21 March 2025** send to them a copy of the documents from the court proceedings and these directions.
5. The applicant must by **21 March 2025** send these directions and a copy of the documents from the court proceedings to:
 - a. the mortgagee named in the application form, if they are a mortgagee of the freehold title (I have assumed they are not, only a mortgagee of the leasehold title(s)); and
 - b. any other persons who appear from the Land Registry entries for the freehold title (or any other appropriate searches, if the title is unregistered) to potentially be interested in these proceedings.
6. If any such or other person wishes to be joined to these proceedings so that they can make representations, they must apply to the tribunal by **4 April 2025**, explaining whether they request an oral hearing.

Bundle of documents

7. The applicant shall by **11 April 2025** send to the tribunal **two** copies of a bundle of relevant documents. The bundle shall be indexed with numbered pages and prepared in accordance with the attached guidance. The bundle must include the following documents:-

Explanatory document

A concise statement confirming the current position and compliance with the above directions.

Court documents

- a. The claim form showing the date upon which the claim was issued in the County Court.
- b. All witness statements filed in support of the applicant's claim in the County Court.
- c. All relevant orders issued by the County Court.

Valuer's report

A valuer's report that must as a minimum:-

- a. Give the valuer's qualifications and contain a signed expert witness declaration; and
- b. Provide a full description of the property preferably with photograph(s) of its exterior; and
- c. Contain a plan identifying both the property and any comparable properties relied on; and
- d. Identify the correct valuation date (the date the claim was issued in the county court); and
- e. Give full details of all comparable market, settlement and relativity evidence relied on (to include unexpired lease terms and condition of the comparables); and
- f. An analysis of the comparables to support opinion of value, and
- g. Identify the capitalisation and deferment rates and justify any departure from *Cadogan v Sportelli*; and
- h. Identify any relevant improvements and the dates upon which they were completed; and
- i. Include a worked valuation that is consistent with the 1967 Act.

Documents of Title

- a. Up to date official copies of the entries at HM Land Registry of the freehold and all leasehold titles, with plans.
- b. A copy of the tenant's leases and lease plans.
- c. A draft of the proposed transfer deed (TR1) to be considered by the tribunal.

Other information

A table showing in respect of each flat:-

- a. The date upon which the tenant purchased the flat; and
- b. The last ground rent demanded and/or paid (if known): and
- c. Details of any other amounts that may be payable to the Missing Landlord (e.g. service charges) pursuant to section 27(5)(b) of the 1967 Act.

Intermediate lease (if applicable)

- a. Copy of any intermediate lease: and
- b. Official copies of the entries at HM Land Registry, of any intermediate leasehold titles with plans.

Determination

8. The tribunal will determine the application no earlier than the week commencing **28 April 2025** on the basis of the document bundle. As

part of its determination the tribunal may inspect the exterior of the property and any comparables offered.

9. If the tribunal is unable to determine the application on the basis of the document bundles it will notify the applicant in writing. The application will then be decided at an oral hearing on a date to be notified by the Case Officer which should be attended by the applicant's valuer and legal representative. Prior to a hearing, the tribunal may wish to inspect the property and any comparables offered. It will be the responsibility of the applicant to provide access to the property.

GUIDANCE FOR PREPARING BUNDLES

Format

- *hole punched in an A4 lever arch file (or fastened with treasury tags)*
- with an index on the first page
- **numbered page by page**, preferably at the bottom right of each page (remember you and the tribunal will need to refer to these page numbers to quickly direct everyone to each item to be discussed)
- in **date order**, earliest to latest, where practicable (especially correspondence and other relevant documents e.g. accounts, invoices, bank statements)
- *use a sensible number of section dividers/tabs (usually between 5 and 30) between key sections/documents (e.g. between statements of case)*
- do **not** use plastic wallets
- all contents should be A4 (unless you need to include A3 documents to make them legible; if so, punch one side only and fold them so they can be opened and read easily)

Contents

- as set out in the case management directions (including the application form, directions/orders, each party's statement of their case, witness statements, the lease or tenancy agreement where relevant, relevant reports/documents and all other documents which you or the other parties rely on)
- use good quality copies of all documents and **colour** copy plans/photographs
- you may wish to include a chronology
- try to present e-mails as individual items, not long chains, and leave out irrelevant automatic disclaimers/notices at the end of e-mails
- avoid duplicates or irrelevant correspondence

Agreeing the bundle

- the party responsible for preparing the bundle should send a draft index to the other party in good time in advance; the parties must co-operate in seeking to agree what the bundle should contain

General

- Remember that only those documents sent in properly prepared bundles are likely to be before the tribunal at the full hearing
- It can be appropriate to have separate bundles (e.g. one for the application, orders, witness statements and so on, and one for the documentary evidence such as accounts, invoices, bank statements, if this is bulky)
- If the tribunal has given permission for electronic bundles, they should be prepared as above (apart from the items in italics). They should be in PDF format. A large PDF bundle may be split into two for e-mail transmission.
- If you wish to produce video evidence, you will need to liaise with the tribunal in advance to ask to arrange this.