



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

Case Reference	: CAM/33UG/OLR/2025/0013
Property	: 14 Chapelfield Gardens, Coburg Street, Norwich, NR1 3BF
Applicant	: Kevin Paul Rickard
Represented by	: Clapham & Collinge Solicitors
Respondent	: Chapelfield Residential Limited
Represented by	: Forsters LLP
Type of Application	: For determination of the premium and terms of a new lease-Leasehold Reform, Housing and Urban Development Act 1993
Tribunal Member	: Judge Wayte
Date of Decision	: 8 July 2025

DECISION

Background

1. The tribunal received an application for determination of the premium or other terms of acquisition remaining in dispute by email on 10 January 2025 and by post on 13 January 2025.
2. A letter was sent by the tribunal to both parties on 1 May 2025 stating that the application had been received on 13 January 2025 (in error). The application was then referred to a legal officer who issued case management directions on 30 May 2025 to both parties.
3. On 5 June 2025 the tribunal received an email from the respondent's representative who indicated that, as the tribunal had confirmed receipt of the application on 13 January 2025, the application was out of time. The 6 month deadline under the 1993 Act from the date of the counter notice was 9 January 2025.
4. This email was forwarded to the applicant's representative by a case officer, who asked for their comments on the matter. They responded on 17 June 2025 forwarding an error message confirming that the application was

intended to be sent to the tribunal by email on 9 January 2025 but due to an error made by them in respect of the the tribunal's email address, the email was not delivered. The applicant realised their error on 10 January 2025 and re-sent the email with the application form and enclosures, which was duly received by the tribunal on that date.

5. In the light of that information, the tribunal wrote to both parties on 17 June 2025 stating that it appeared that the tribunal did not have jurisdiction to proceed with the application as it had been made one day late. The tribunal provided 7 days for either party to provide representations, prior to the final decision.
6. Following the tribunal's letter, the respondent's representative sent an email stating that they agree that the tribunal does not have jurisdiction in this matter.
7. The tribunal did not receive any further correspondence from the applicant's representative.

The Tribunal's Decision

8. Section 48 (2) of the Leasehold Reform, Housing and Urban Development Act 1993 provides that any application under subsection (1) must be made not later than the end of the period of six months beginning with the date on which the counter-notice or further counter-notice was given to the tenant. In this case, the counter notice was given to the tenant on 10 July 2024, meaning that the last date for the application to be received by the tribunal was 9 January 2025.
9. Although it appears the applicant attempted to submit the application on time, it was not received by the tribunal until the 10 January 2025, making it one day late. There is no power under the Act for the tribunal to extend this deadline.
10. In the circumstances, the tribunal does not have jurisdiction to determine this matter and must therefore strike the application out under Rule 9(2)(a) of The Tribunal Procedure (First tier Tribunal) (Property Chamber) Rules 2013

Judge Wayte

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), on a point of law only, 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).