



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

Case Reference	: CAM/33UG/OLR/2025/0021
Property	: 63 Chapelfield East, Norwich, NR2 1SF
Applicants	: Mr Peter Francis Hemmings and Mrs Celia Margaret Hemmings
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 MacQueen
Date of Decision	: 15 July 2025

DECISION

Background

1. On 27 February 2025 the Tribunal received an email from the Applicants' representative that stated: "please see enclosed an application concerning a lease extension on behalf of our clients...". However, the did not have an attachment.
2. The Tribunal wrote to the Applicants' representative on 4 March 2025 to confirm that there were no attachments sent with the email. In reply, the Applicants' representative set an email on 4 March which included an application. The Tribunal also received a copy of the application by post on 3 March 2024.
3. On 11 June 2025, the Tribunal wrote to both parties confirming the Tribunal received the application on 4 March 2025. This was a misprint and the application should have been noted as received on 3 March 2025, but that does not have any bearing on this decision.
4. On 18 June 2025, the Responent's representative wrote to the Tribunal by email submitting that as the application was not sent to the Tribunal until 4

March 2025, the application was out of time. The Respondent's representative stated that the counter notice was dated 29 August 2024, meaning that 28 February 2025 was the last date on which the application could be submitted.

5. The Applicants' representative wrote to the Tribunal on 26 June 2025 confirming their agreement that the relevant date by which an application to the tribunal could be made was 28 February 2025. However, they stated that their email of 27 February 2025 was made in time.

The Tribunal's Decision

6. 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. There is no power under the Act for the Tribunal to extend this deadline.
7. In this case, the counter notice was dated 29 August 2025, meaning that the last date for an application to be received by the tribunal was 28 February 2025.
8. The Tribunal did not received the application until 3 March 2025. The Applicants' representative's email of 27 February 2025 did not have an application form attached.
9. 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 Bernadette MacQueen

Date: 15 July 2025

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).