



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

Case reference : **CAM/22UD/HTC/2025/0002**

Property : **Flat 2 Barton Court, Pennyfields,
Brentwood, CM14 5LQ**

Applicant : **Deepak Dua**

Respondent : **H & S Estates**

Type of application : **For recovery of all or part of a
prohibited payment or holding deposit:
Tenant Fees Act 2019**

Date of directions : **24 April 2025**

DIRECTIONS

- **Whenever you send a letter or email to the tribunal you must also send a copy to the other parties and note this on the letter or email.**
- **These directions are formal orders and must be complied with. The parties are referred to the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 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.**
- **If the respondent fails to comply with these directions the tribunal may bar it from taking any further part in all or part of these proceedings and may determine all issues against it pursuant to rules 9(7) and (8) 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.**

BACKGROUND

- (1) This is an application for an order for the recovery of a prohibited payment/holding deposit paid in respect of a tenancy of **Flat 2 Barton Court, Pennyfields, Brentwood, CM14 5LQ** pursuant to section 15 of the Tenant Fees Act 2019.
- (2) The application form and supporting documents appear to confirm that the respondent requested a total of £1392.00 from the applicant in relation to various fees concerning the tenant ending the tenancy early.
- (3) **The tribunal does not have any jurisdiction in respect of deductions made from the tenancy deposit.**
- (4) All or part of the remaining payment may be a prohibited payment/holding deposit within the meaning of the Tenant Fees Act 2019. If so, the tribunal would be empowered to order recovery of all or part of that amount from the respondent.
- (5) These directions are issued to determine whether the tribunal should make an order under section 15 of the Act for the respondent to pay all or any part of the amount to the applicant.

DIRECTIONS

1. The application form and the supporting documents shall stand as the applicant's case.
2. By **13 May 2025**, the respondent must send the tribunal and the applicant a statement in reply, explaining in relation to Paragraph 6, schedule 1 of the Act whether the payments requested exceed the loss suffered as a result of the termination or whether the sum exceeds the reasonable costs and if they do why they should not have to refund some or all of the amount claimed by the applicant, together with copies of any documents to be relied upon.
3. The applicant may then send a brief reply to the tribunal and the respondent by **27 May 2025**, together with copies of any other documents on which the applicant relies.
4. This case will be dealt with on the papers in the week commencing **3 June 2025** on the basis of the documents sent to the tribunal, unless either a request for an oral hearing is made in writing, by post or by email, by no later than **20 May 2025**, or the tribunal considers that the case is not suitable for determination on the papers because it is unable to resolve a relevant issue without oral evidence.
5. If a hearing is requested/considered necessary, the hearing is likely to be a remote hearing by telephone conference using dial-in details which will be provided by the tribunal when the time for the remote hearing has been fixed. The parties availability will be taken onto account. The time estimate for the hearing will be up to **two hours**.

This Order has been made by a Legal Officer. Any party affected by it is entitled to ask for it to be considered afresh by a Judge, by making an application by email to the Tribunal within 14 days after the date of the Directions.

**Laura Lawless
Legal Officer**