



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

Case reference	:	LON/00AM/LRM/2025/0017
Property	:	Flats 1 to 11, 17-19 Shacklewell Lane, London, E8 2BY
Applicant	:	Shacklewell Lane RTM Co Ltd
Representative	:	Leasehold Advice Centre
Respondent	:	Avon Freeholds Ltd
Representative	:	Scott Cohen Solicitors Ltd
Type of application	:	Right to Manage under s.84(3) of the Commonhold and Leasehold Reform Act 2002
Tribunal member	:	Judge Tueje
Date of Directions	:	8th August 2025

DECISION ON FEES

The respondent shall reimburse the application fee of £110.00 within 14 days of the date this decision is sent to the parties.

1. By a letter dated Friday 28th March 2025, e-mailed at 11.52am to the applicant and copied to the respondent, the Tribunal acknowledged receipt of this application on 17th March 2025 and required payment of the application fee within 14 days of the date of the letter. The application sought a determination that the applicant is entitled to exercise its right to manage following receipt of the respondent's counter notice.
2. At 1.04pm on 28th March 2025 the respondent e-mailed the applicant stating it would withdraw its counter notice.

3. At 1.11pm on 28th March 2025 the applicant e-mailed the respondent stating the correct course was for the respondent to admit the applicant's right to manage.
4. On Monday 31st March 2025 at 4.22pm the respondent notified the applicant it admitted its right to manage.
5. At 1.48pm on 3rd April 2025 the Tribunal e-mailed the applicant, copying the respondent, acknowledging payment of the Tribunal's fee of £110.00.
6. On 17th April 2025 the respondent e-mailed the applicant seeking confirmation of when the application fee was paid. The applicant has not provided that information. The respondent therefore objects to reimbursing the application fee because as far as it can tell, the fee was paid after it admitted the applicant's right to manage.
7. Rule 13(2) of the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013 states:

The Tribunal may make an order requiring a party to reimburse to any other party the whole or part of the amount of any fee paid by the other party which has not been remitted by the Lord Chancellor.

8. This rule is discretionary, and is subject to the overriding objective to deal with cases justly and fairly.
9. In light of the above, I consider it is in accordance with the overriding objective to order the respondent to reimburse the application fee of £110.00 for the following reasons:
 - 9.1 The applicant issued the application in response to the respondent's counter notice, just over one hour later the respondent indicated its willingness to concede.
 - 9.2 In doing so the respondent purported to withdraw its counter notice.
 - 9.3 On being informed the appropriate course was to admit the applicant's right to manage, the respondent subsequently did so.
 - 9.4 The applicant achieved its desired outcome, but only after the applicant issued the application, and after it had to advise the respondent of the correct mechanism to achieve that outcome.
10. Those are the main reasons, but a subsidiary reason is that it seems to me that the application fee became payable when the application was made, even if the fee itself was paid some time later. Accordingly, irrespective of when the fee was paid, because it was paid after the application was made, the fee was properly paid, and in light of the respondent admitting the applicant has the right to manage, it should also reimburse the fee.

Name: Judge Tueje

Date: 6th August 2025