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| Crest |  | FIRST-TIER TRIBUNAL  **PROPERTY CHAMBER**  **(RESIDENTIAL PROPERTY)** |
| **Case reference** | **:** | **LON/00BK/LSC/2024/0634** |
| **Property** | **:** | **Dudley Court, Upper Berkeley Street, London W1H 5QA** |
| **Applicant** | **:** | **Intercontinental Developments Limited** |
| **Representative** | **:** | **Ms Sarah Riley of James Andrew Residential (Managing Agents)** |
| **Respondent** | **:** | **The long leaseholders listed in the schedule accompanying the Tribunal application** |
| **Representative** | **:** | **Not represented** |
| **Type of application** | **:** | **For the determination of the liability to pay service charges under section 27A of the Landlord and Tenant Act 1985** |
| **Tribunal members** | **:** | **Judge N Hawkes**  **Mr J Stead BS (Hons) MSc**  **Mr J Francis QPM** |
| **Date and venue of hearing and reconvene** | **:** | **29 May 2025 at 10 Alfred Place, London WC1E 7LR** |
| **Date of decision** | **:** | **3 June 2025** |

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| **DECISION** |

**Decision of the Tribunal**

The Tribunal determines that the estimated service charges for the year 2024 to 2025 in the sum of £145,000, which form the subject matter of this application, are reasonable and payable.

**The application**

1. The Applicant seeks a determination under section 27A of the Landlord and Tenant Act 1985 (“the 1985 Act”) as to whether estimated service charges for the year 2024 to 2025 in the sum of £145,000 are reasonable and payable.
2. The Applicant is the landlord of Dudley Court, Upper Berkeley Street, London W1H 5QA (“Dudley Court”). The Tribunal has been informed that Dudley Court is a purpose-built block containing 105 self-contained flats plus a caretaker’s flat, with commercial units on the ground floor. The Respondents are the long lessees of the flats at Dudley Court.
3. Directions were issued by the Tribunal on 5 December 2024 (and amended 23 April 2025) leading up to a final hearing.
4. Relevant photographs were provided in the hearing bundle. No inspection was requested, and the Tribunal did not consider that one was necessary.

**The hearing**

1. The final hearing took place on 29 May 2025 at 10 Alfred Place, London, WC1E 7LR.
2. Ms Sarah Riley of James Andrew Residential (the Applicant landlord’s Managing Agents) represented the Applicant at the final hearing and gave oral evidence.
3. None of the Respondents attended or was represented at the hearing. An observer attended the hearing who took no part in these proceedings.

**The Tribunal’s determination**

1. The estimated service charge costs which form the subject matter of this application are the budgeted costs for the removal of asbestos from 62 riser cupboards which are located in the common parts of Dudley Court.
2. Ms Riley gave oral evidence, which the Tribunal accepts, that a full section 20 consultation was undertaken and that the work has now been completed at an actual cost of £156,780, including VAT. Ms Riley also confirmed that the scope of the work which forms the subject matter of this application is limited to the estimated cost of the removal of asbestos from the 62 riser cupboards.
3. The Tribunal asked to see and was provided with a copy of the quotation on which the budgeted costs were based.
4. None of the Respondents has filed any representations disputing that the estimated cost of the work in the sum of £145,000 is reasonable and payable.
5. In all the circumstances, having considered:
   1. The Applicant’s application;
   2. The evidence filed in support of the application;
   3. Ms Riley’s oral evidence; and
   4. The fact that none of the Respondents has made representations to the Tribunal opposing the Applicant’s application.
6. The Tribunal determines that the estimated service charges for the year 2024 to 2025 in the sum of £145,000, which form the subject matter of this application, are reasonable and payable.

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| **Name:** | Judge N Hawkes | **Date:** | 3 June 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), 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).