



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

**Case reference** : **LON/00BG/HTA/2025/0005**

**Property** : **Blocks B, C and D, The Maltings,  
Maltings Close, London E3**

**Applicant** : **Maltings Close Residents' Association**

**Representative** : **Mr Amar Lodhia**

**Respondent** : **1 Twelve Trees Management Company  
(Bromley-by-Bow) Limited  
2 Chime Properties Limited  
3 London & Quadrant Housing  
Association**

**Representative** : **1 Urang Property Management  
2 HomeGround Management Limited**

**Type of application** : **Application for recognition of a tenants'  
association under s29 of the Landlord  
and Tenant Act 1985, as amended by  
paragraph 10 of Sch 2 of the Landlord  
and Tenant Act 1987**

**Tribunal member** : **Mrs E Ratcliff MRICS**

**Venue** : **10 Alfred Place, London WC1E 7LR**

**Date of decision** : **30 September 2025**

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**DECISION**

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## Background

1. By application, dated and received 25 February 2025, the Applicant, Maltings Close Residents' Association, applied for recognition as a Tenant's Association under s29 of the Landlord and Tenant's Act 1985 ('the 1985 Act').
2. The Applicant provided a copy of Maltings Close Residents Association's constitution and a list of members.
3. The application form names only Twelve Trees Management Company (Bromley-by-Bow) Limited ('Twelve Trees') as Respondent. Twelve Trees is the Management Company under various tripartite leases and as such maybe considered to be a "landlord" under section 30 of the 1985 Act, being a person who has "*a right to enforce payment of a service charge*". However:
  - Chime Properties Limited ('Chime') is the freeholder and also has a right to enforce payment of the cost of insurance, and the head lessee, and
  - London & Quadrant Housing Association ('L&Q'), has a right to enforce payment of a service charge to residential underlessees.
4. As a result, the Tribunal wrote to the applicant, by letter dated 27 May 2025, explaining that copies of the application and supporting documents had been sent to both Chime and L&Q. For the sake of completeness and for the avoidance of doubt, both Chime and L&Q are joined as parties to these proceedings.
5. The Tribunal was also provided with a copy of a partnership agreement between Maltings Close Residents Association and London & Quadrant Housing Trust. The agreement was signed on 7 August 2025 and says it "*was co-created with L&Q Resident Association members and Neighbourhood Housing Lead to outline how we will agree to work together*".
6. Having reviewed Maltings Close Residents Association's constitution and supporting documents, the Tribunal wrote to the applicant association on 29 May 2025, 6 June 2025 and 24 July 2025 raising a number of clarifying questions. This led to a series of iterations of Maltings Close Residents' Association's constitution, the final version being dated 24 July 2025, and the provision of a more detailed list of members (with names, flat numbers, IP address, and date and time stamp of electronic signature). The members list included names for approximately 116 of the 171 flats (c68%) that the association seeks to represent.

7. By letters dated 8 August 2025, the Tribunal provided all three respondents with a copy of the application, constitution and the L&Q Partnership agreement and information pack, and asked that they confirm if they objected to the recognition of Maltings Close Residents' Association as a tenant's association under the 1985 Act.

### **Respondents' submissions**

8. Only Chime responded. They did not state whether they objected or not but instead made the following observations:
  - i. Parties – the application only names Twelve Trees and it would have been appropriate to also name Chime and L&Q.
  - ii. Date discrepancies – the application is dated 25 February 2025 but the date that the application for recognition was said to have been made to the landlord was 15 August 2025.
  - iii. Qualifying tenant threshold – Chime had not seen evidence that the threshold had been met but trusted that the Tribunal was satisfied on this point.
  - iv. Fair and democratic constitution – points noted were:
    - Paragraph 3.3 – each joint tenant has a vote
    - The quorum specified in para 8 conflicts with para 7
    - Voting by proxy is not allowed for.
9. The applicant responded to the above points.

### **Decision**

10. The Tribunal has considered The Tenants' Association (Provisions Relating to Recognition and Provisions of Information) (England) Regulations 2018 and notes:
  - i. The tenants' association membership list represents approximately 68% of qualifying tenants, higher than the 50% threshold.
  - ii. The application confirmed that the association had not previously applied for or been granted recognition by the Tribunal.
  - iii. Section 4 of the application form confirms that an application for recognition had been made to the landlord in accordance with section 29 of the Landlord and Tenant Act 1985, although it states an incorrect future date of 15 August 2025. In later

correspondence it was explained that the year had been mistyped and the date should have read 15 August 2024.

11. Regulation 3 lists the following matters to which the Tribunal must also have regard when deciding whether to give a certificate of recognition, which are:
  - a) How a leaseholder can become a member the composition of the membership of the tenants' association;
  - b) the tenants' association's rules regarding membership, including whether tenants who are not qualifying tenants are entitled to become members;
  - c) the tenants' association's rules regarding decision making;
  - d) the tenants' association's rules regarding voting;
  - e) the extent to which any fees or charges payable in connection with membership of the tenants' association apply equally to all members;
  - f) the extent to which the constitution of the tenants' association takes account of the interests of all members;
  - g) the extent to which the tenants' association is independent of the landlord of the dwellings to which the association relates;
  - h) whether the tenants' association has a chairperson, secretary and treasurer;
  - i) whether the constitution of the tenants' association may be amended by resolution of the members and the rules regarding amendment;
  - j) whether the tenants' association's constitution, accounts and list of members are—
    - (i) kept up to date; and
    - (ii) available for public inspection;
  - k) the extent to which the association operates in an open and transparent way.
12. Turning to Chimes observations, the first three, relating to parties, dates and membership, have been addressed and are not repeated here. The fourth observation relates to whether the constitution is fair and democratic. Addressing each element raised in turn:
  - **Paragraph 3.3 and voting rights.** Where there is a joint tenancy or joint leaseholders, both tenants may have a vote. The Tribunal does not consider this to be unfair or undemocratic, although accepts that a different association might take a different approach. Importantly, voting on service charge matters is limited to those who directly contribute to service charges.

- **Paras 7 and 8, and a conflict relating to quorum.** There does not appear to be a conflict. Para 7 says extraordinary general meetings can be called by one-third of members (or at least 20), where para 8 says quorum for general meetings is two-thirds of members.
  - **Voting by proxy is not allowed.** The Tribunal has had regard to all the associations rules regarding voting and considers that, not permitting voting by proxy, does not in itself make the voting rules unfair or undemocratic.
13. Having considered the constitution, dated 24 July 2025, the particular matters under regulation 3 (set out above), the observations submitted by Chime, and the response from the Applicant, the Tribunal is of the view that the constitution meets the necessary requirements and is fair and democratic.
  14. The Tribunal therefore finds that the Applicant has met the requirements of s29 of the Landlord and Tenant Act 1985 and the Tenant's Association (Provisions Relating to Recognition and Provision of Information) (England) Regulations 2018 and, accordingly Maltings Close Residents' Association should be recognised as a tenants' association.
  15. The recognition is for a period of 5 years commencing 30 September 2025 and a copy of the certificate is provided with this decision.

**Name:** Mrs E Ratcliff MRICS

**Date:** 30 September 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).