



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

Case reference : **LON/00BA/LRM/2025/0028**

Property : **105 Hamilton Road, London SW19
1JG**

Applicant : **105 Hamilton Road RTM Company
Limited**

Representative : **Ms Erica Fiallos (Director)**

Respondent : **Assethold Limited**

Representative : **Eagerstates Limited (Mr Ronni
Gurvits)**

Type of application : **For Order for Compliance section
107 of the Commonhold and Leasehold
Reform Act 2002**

Tribunal Member : **Deputy Regional Judge N Carr**

Date of Notice : **26 November 2025**

**ORDER PURSUANT TO SECTION 107(2) COMMONHOLD AND
LEASEHOLD REFORM ACT 2002**

ORDER

1. Pursuant to section 107(1) Commonhold and Leasehold Reform Act 2002 ('CLRA'), the Tribunal Orders the Respondent to remedy its default in compliance with section 93 CLRA (Duty to provide information) by sending to the Applicant by **4pm on 11 December 2025** the following:
 - (a) (i) A copy of the buildings insurance policy or summary of cover, a copy of the current schedule and evidence of payment of the premium for the current year
 - (ii) Brief details of the claims history for the last 3 years

- (b) A copy of the Financial Statements for the year to December 2024
 - (c) Interim accounts for the period from December 2024 to 25 July 2025
 - (d) A list of service charges due from or held on account in respect of each flat
 - (e) Details of any surplus monies held on account of the service charges
 - (f) The percentages of service charges payable in respect of all the flats contained at the premises and to:
 - (i) supply the Company to the address stated above with a copy of any document containing the said information in readily intelligible form, and
 - (ii) permit any person authorised to act on behalf of the Company at any reasonable time to inspect any document in your possession.
2. For the avoidance of doubt, the date of acquisition of the right to manage was 25 July 2025, and references to previous or current years in paragraph 1. above are all by reference to the service charge year in which that date fell.
3. By section 107(3) CLRA this Order is enforceable in the County Court as an order of that court.
4. Unless the Respondent complies with paragraph 1 above, the Tribunal will transfer the matter to the County Court at Wandsworth, for consideration of appropriate enforcement pursuant to section 107(3)(b) CLRA.

REASONS

- A. This order should be read together with the order and reasons given in the connected application for a determination of accrued uncommitted service charge funds, of the same date.
- B. A no-fault right to manage ('RTM') claim notice in respect of the property 105 Hamilton Road, London SW19 1JG ('the premises'), itself dated 13 March 2025, was given to Assethold Limited, its representative company Eagerstates Limited, and to Mr Ronni Gurvits of Eagerstates Limited by first-class post on 14 March 2025.
- C. By email dated 15 March 2025, Scott Cohen solicitors (on behalf of the Respondent) made a number of enquiries that were responded to on 27

March 2025 by the Applicant's then-representative, The Leasehold Advice Centre. No counternotice was served.

- D. On 30 May 2025, the Applicant gave notice to the Respondent under section 93 CLRA ('the section 93 notice') that it required the documents listed in that notice, in view of the acquisition of the right to manage the premises due to take place on 25 July 2025.
- E. Acquisition of the RTM took effect as a matter of law on 25 July 2025 (section 90 CLRA).
- F. By email of 5 August 2025, the Tribunal received an application from Ms Erica Fallios, a Director of the Applicant. The Respondent was given notice of the application by an email from the Tribunal dated 13 August 2025 at 12:18pm.
- G. By that application, the Applicant sought, amongst other things, an order pursuant to section 107 CLRA, in respect of those documents/information required in the section 93 notice.
- H. On 8 September 2025, the Tribunal gave Directions for both parties in relation to the application, by a single set of directions covering both the section 93 application and an associated application under section 94(3) for a determination of the sum of accrued uncommitted service charges payable by the Respondent to the Applicant. Those Directions should be read together with this Order.
- I. By paragraph (8) of those Directions, the Tribunal identified the documents sought by the Applicant by its section 93 Notice given to the Respondent on 30 May 2025, to which the Applicant received no response.
- J. By direction 2 of those Directions, the Tribunal required the Respondent to give disclosure to the Applicant of documents including those set out by the Applicant identified in paragraph (8) therein.
- K. The Respondent failed to comply.
- L. By notice of intention to make an order pursuant to section 107(2) ('Notice of Intention'), for the reasons set out in that order, the Tribunal made an unless order in which it directed the Respondent to comply with the direction given on 8 September within 14 days, failing which an order under section 107(1) and (3) would be made in respect of the section 93 application.
- M. The Respondent replied purporting to be confused. By order dated 6 November 2025, the Tribunal extended time for compliance with the Notice of Intention to Thursday 13 November 2025.
- N. The Respondent has failed to comply.

- O. The Tribunal therefore makes the order as identified in its Notice of Intention, giving effect to the unless order.

Name: Judge N Carr

Date: 26 November 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).