



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

Case reference	:	LON/ooBE/LRM/2025/0013
Property	:	171 Tower Bridge Road, London SE12 AW
Applicant	:	171 Tower Bridge Road RTM Company Limited
Respondent	:	Assethold Limited
Type of application	:	Application in relation to the denial of the Right to Manage under s.84(3) of the Commonhold and Leasehold Reform Act 2002
Tribunal member	:	Judge Martyński
Date of Decision	:	13 August 2025

DECISION

1. The Application is dismissed.

Background

2. On 24 February 2025, the Applicant submitted to the tribunal an application for a determination that it had acquired the Right to Manage.
3. By a claim notice dated 4th December 2024, the Applicant gave notice to the Respondent that it intended to acquire the Right to Manage the premises on 23rd April 2025.
4. On 5 February 2025 the Respondent's agent, Mr Gurvits of Assethold, wrote to the Applicant stating that it had served a Counter-Notice. The Applicant replied the same day saying that it had not received any such notice.
5. On 14 February 2025 Mr Gurvits wrote to the Applicant stating "*A counter notice was served but our client has since had a conversation with the solicitors and the counter notice is being rescinded as of today's date.*"

6. The Applicant's application to the tribunal for a determination of the acquisition of the Right to Manage did not contain a copy of any Counter-Notice, for the reason that it had not received such a notice.
7. Directions on the application were given on 26 March 2025. Direction 3 of those directions stated that the Respondent should file a statement in reply to the application. That direction continued as follows; "*In particular the Respondent will need to satisfy [sic] that a counternotice was served.*"
8. At no point has the Respondent given notice to the Applicant that it is agreed that the Applicant had obtained the Right to Manage.
9. The Respondent did not comply with the directions.

Reasons for decision

10. In the light of the Applicant's assertion that it did not receive any Counter-Notice, there is no evidence that a Counter-Notice was served other than the statement in correspondence from Mr Gurvits. The Respondent has been given the opportunity to produce a copy of a Counter-Notice and to provide evidence of its service and has failed to do so.
11. Accordingly, on the balance of probabilities, the tribunal finds that no Counter-Notice was served.
12. The tribunal only has jurisdiction under s.84(3) of the 2002 Act to determine that the Right to Manage has been acquired if a Counter-Notice has been served. As no such notice was served, the tribunal has no jurisdiction and the Applicant must have acquired the Right to Manage by virtue of s.90(2) & (3)(a) of the 2002 Act.