



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

**Case reference** : **BIR/00CW/RTB/2025/0019**

**Property** : **11 Stretton Place, Woodcross, Coseley  
Wolverhampton WV14 9XA**

**Applicant** : **Leigh New**

**Representative** : **None**

**Respondent** : **Wolverhampton City Council**

**Representative** : **Israel Nyatanga, CILEX Lawyer / Legal  
Assistant**

**Type of application** : **Application under paragraph 11 of  
Schedule 5 to the Housing Act 1985  
(denial by landlord of the right to buy  
because the property is particularly  
suitable for occupation by elderly  
persons)**

**Tribunal member** : **Judge C Goodall**

**Date and place of  
hearing** : **Paper hearing**

**Date of decision** : **08 December 2025**

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**DECISION TO STRIKE OUT THE APPLICATION**

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## **Background**

1. The Applicant submitted an application to this Tribunal on 8 September 2025 relating to the “stoppage” of their Right to Buy application. Although accompanied by a completed Form RTB 1 headed “Appeal the local authority’s decision to refuse you the right-to-buy based on the property being suitable for elderly people”, the way the Applicant completed the form made it clear that the right-to-buy had been refused for reasons **unrelated** to the suitability of occupation by elderly persons.
2. A Direction was issued by a Deputy Regional Judge Gravelles on 1 October 2025 indicating that the Tribunal was minded to strike out the application under Rule 9(2)(a) of the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013 (“the Rules”) due to the Tribunal having no jurisdiction to determine it. Representations were requested from both parties.
3. The Respondent submitted a written representation on 23 October 2025. The submission stated that it issued the Applicant with an offer to sell the Property on 14 August 2025, with a deadline of 5 November 2025. The terms have not been disclosed. The representation confirmed that the Respondent had not sought to deny the Applicant the right-to-buy on the grounds that the Property was suitable for occupation by elderly persons, and the Respondent therefore agreed that the Tribunal would have to strike out the application.
4. The Applicant sent representations to the Tribunal on 26 October 2025. Those representations confirmed that the appeal was not about accommodation for elderly persons. It is apparent that the Applicant was unsure how to progress whatever issue he had with the offer from the Respondent. He says he turned to the Tribunal for help and was directed to fill in the appeal form described above. He clearly feels that he has not been well treated by the Respondent and in his representation, he asks the Tribunal that he be allowed to amend his appeal or have it transferred to the correct jurisdiction.

## **Discussion**

5. The Property Tribunal only has limited jurisdiction over right to buy applications. Generally, disputes relating to the right to buy are determined by the county court (see section 181 Housing Act 1985 (“the Act”)).
6. The Tribunal’s limited jurisdiction only exists if the local authority deny a right to buy on the grounds that a property is particularly suitable for occupation by elderly persons, under paragraph 11 of Schedule 5 to the Act. Clearly, both the Applicant and the Respondent agree and accept that this is not the case here.

7. The Tribunal has no legal basis upon which it may determine matters which are not within its jurisdiction. The Tribunal therefore **must** refuse to consider the application, which I therefore strike out.
8. The Rules do not permit me to transfer this appeal to the county court. There would be no purpose in me permitting the Applicant to amend the application as no amendment could result in jurisdiction being conferred on the Tribunal.

### **Decision**

9. The application is struck out.

### **Appeal**

10. Any appeal against this decision must be made to the Upper Tribunal (Lands Chamber). Prior to making such an appeal the party appealing must apply, in writing, to this Tribunal for permission to appeal within 28 days of the date of issue of this decision (or, if applicable, within 28 days of any decision on a review or application to set aside) identifying the decision to which the appeal relates, stating the grounds on which that party intends to rely in the appeal, and stating the result sought by the party making the application.

Judge C Goodall  
First-tier Tribunal (Property Chamber)