



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

Case reference : **LON/00BG/LSC/2025/1004**

Property : **Flat 23 Stafford Cripps House, Globe Road, London E2 0LN**

Applicant : **Andrew McGrath**

Representative : **In person**

Respondent : **London Borough of Tower Hamlets**

Representative : **Legal services (Mr A Mohammed)**

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 Pittaway
Mr D Jagger FRICS**

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

Date of decision : **17 December 2025**

DECISION

Decisions of the tribunal

- (1) The tribunal finds that Applicant is not liable to pay the following service charge demands because they have been conceded by the Respondent

Date of invoice	Description	Amount
1 April 2018	Estimated service charge 2018/2019	£ 1,502.09
3 April 2018	Major works	£ 2,662.80
1 April 2019	Estimated service charge 2019/2020	£ 1,423.68
1 April 2019	Major Works	£ 783.18
11 June 2019	Major Works	£10,599.62

- (2) In light of the concession made by the Respondent on 20 October 2025 it is not necessary for the tribunal to determine whether the Respondent should be barred from further participation in the proceedings.
- (3) The tribunal is not able to direct that the Respondent remove the conceded sums from the service charge account but hopes that it will do so.
- (4) The tribunal makes an order under section 20C of the Landlord and Tenant Act 1985 so that none of the landlord's costs of the tribunal proceedings may be passed to the lessees through any service charge.
- (5) The tribunal makes an order pursuant to paragraph 5A Schedule 11 of the Commonhold and Leasehold Reform Act 2002 so that no administration charge should be payable by the Applicant in connection with this application.
- (6) The tribunal determines that the Respondent shall pay the Applicant £114, or allow the sum against any outstanding service charge, in respect of the reimbursement of the tribunal fees paid by the Applicant.
- (7) The tribunal makes no order for costs under Rule 13(1)(b) of The Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013.

The application

1. The Applicant seeks a determination pursuant to s.27A of the Landlord and Tenant Act 1985 (“the **1985 Act**”) and Schedule 11 to the Commonhold and Leasehold Reform Act 2002 (“the **2002 Act**”) as to the amount of service charges and (where applicable) administration charges] payable by the Applicant in respect of the service charge years 2018/2019 and 2019/2020.
2. The Applicant also seeks his costs under Rule 13(1)(b) of The Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013

Paper Determination

3. This has been a paper determination. A face-to face hearing was not held because the issues could be determined on the papers.

The background

4. The service charges the subject of this application are those set out in paragraph (1) above.
5. The charges were demanded by the Respondent in a Statement of Account dated 18 December 2024.
6. Directions were issued on 24 September 2025 which required the Respondent to provide various copy documents and a statement by 24 October 2025.
7. On 20 October 2025 the Respondent informed the Tribunal that it conceded the claim. The Applicant was notified of the Respondent’s decision on 17 November 2025.
8. On 27 October 2025 the Applicant had applied to have the Respondent barred from taking any further part in the proceedings.
9. On 20 November 2025 Judge Jones directed that the Applicant serve the Respondent and tribunal with submissions relating to costs by 28 November 2025 with the Respondent serving its submissions by 5 December 2025.
10. On 24 November 2025 the Applicant indicated that he wished to make an application for costs under Rule 13(1)(b) of The Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013 which he made on 28 November 2025, in which he invited the tribunal to determine such costs as it considered reasonable and proportionate.

11. The Respondent provided a response to such an application on 1 December 2025.

Reasons for the tribunal's decisions

Application under s.20C and refund of fees

12. In the application form the Applicant applied for an order under section 20C of the 1985 Act. Taking into account that the Respondent conceded that the Applicant was not liable to pay the service charges in question the tribunal determines that it is just and equitable in the circumstances for an order to be made under section 20C of the 1985 Act, so that the Respondent may not pass any of its costs incurred in connection with the proceedings before the tribunal through the service charge. It similarly determines that an order be made pursuant to paragraph 5A Schedule 11 of the Commonhold and Leasehold Reform Act 2002 so that no administration charge should be payable by the Applicant in connection with the application.
13. The Applicant made an application for a refund of the fees that he had paid in respect of the application/ hearing¹. In the circumstances of the service charges having been conceded by the Respondent the tribunal orders the Respondent to refund any fees paid by the Applicant.

Application for costs under rule 13(1)(b) of the Rules

14. For the tribunal to make a determination on Rule 13(b)(1) costs it would need a statement of case from the applicant setting out
 - (a) In one document the reasons why it is said that the respondent has acted unreasonably in bringing, defending or conducting proceedings and why this behaviour is sufficient to invoke the rule, dealing with the issues identified in the Upper Tribunal decision in *Willow Court Management Company (1985) Ltd v Mrs Ratna Alexander [2016] UKUT (LC)*, with particular reference to the three stages that the tribunal will need to go through, before making an order under rule 13;
 - (b) Any further legal submissions;
 - (c) Full details of the costs being sought (having regard to the hourly costs normally recoverable by a litigant in person), including:
 - A schedule of the work undertaken, and
 - The time spent.
15. If the applicant wishes to pursue an application under Rule 13(1)(b) the tribunal **directs** that he provide the above to the Respondent and the

¹ The Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013

tribunal by **10 January 2025**, whereupon the tribunal shall consider what further directions it may be appropriate to issue.

Name: Judge Pittaway

Date: 17 December 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).