



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

Case reference : **CAM/38UD/LSC/2025/0659**

Property : **3 Faringdon Court, Cholsey,
Wallingford, Oxfordshire, OX10 9GE**

Applicant : **James Davidson**

Respondent : **Cholsey Fair Mile Limited**

Represented by : **Emma Bush, Brethertons LLP,
instructed by Common Ground Estate
and Property Management**

Type of application : **Liability to pay service charges**

Tribunal : **Judge Bernadette MacQueen**

Date of directions : **8 July 2025**

DIRECTIONS

- **Whenever you send a letter or email to the tribunal you must also send a copy to the other parties and note this on the letter or email.**
- **These directions are formal orders and must be complied with. The parties are referred to the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rule 2013 (“the 2013 Rules”).**
- **If the applicant fails to comply with these directions the tribunal may strike out all or part of its case pursuant to rule 9(3)(a) of the 2013 Rules.**
- **If the respondent fails to comply with these directions the tribunal may bar it from taking any further part in all or part of these proceedings and may determine all issues against it pursuant to rules 9(7) and (8) of the 2013 Rules.**

- **Non-compliance could also result in the tribunal making a determination on costs pursuant to rule 13 of the 2013 Rules.**
- Any communication to the tribunal should if possible be by email to rpeastern@justice.gov.uk, quoting the case reference and property address and copied to the other party, but unless otherwise directed hard copy bundles will be required as set out below.

Background

- (1) The applicant seeks a determination under section 27A of the Landlord and Tenant Act 1985 as to whether service charges are payable.
- (2) Within the application form, the applicant states that the dispute relates service charge for a demand of £1,418.13 for the year 2025.
- (3) The applicant also seeks an order for the limitation of the respondent's costs in the proceedings under section 20C of the Landlord and Tenant Act 1985 and paragraph 5A of Schedule 11 of the Commonhold and Leasehold Reform Act 2002.
- (4) The Tribunal has also received an application in relation to 4 Hermitage Court, Cholsey, Wallingford, Oxfordshire, OX10 9GE and this application has been issued under case reference CAM/38UD/LSC/2025/0628. Additionally, the Tribunal has received an application in relation to 14 and 15 Hermitage Court, Chosley, Wallingford, Oxfordshire OX10 9GE.
- (5) For the purposes of initial case management the Tribunal will hear all of these applications together as it appears that all application have one issue which is the same, namely the dispute relating to external repair and redecoration of windows for the service charge year 2025.
- (6) For this application, the tribunal has identified that following issues are to be determined although these may be amplified by the parties in their statements of case:
 - For the year 2025, payability and reasonableness of service charge demand relating to the external repair and redecoration of wooden windows. In particular:
 - whether the works are within the landlord's obligations under the lease/ whether the cost of works are payable by the leaseholder under the lease, and in particular the apportionment of the charge;
 - whether the costs of the works are reasonable, in particular in relation to the nature of the works and whether the works were necessary;

- whether the landlord has complied with the consultation requirement under section 20 of the 1985 Act;
- whether an order under section 20C of the 1985 Act or paragraph 5A of schedule 11 of the Commonhold and Leasehold Reform Act 2002 should be made;
- whether an order for reimbursement of application/ hearing fees should be made.

DIRECTIONS

1. The tribunal has determined that a case management hearing should be held. At this hearing, the tribunal will consider both this application and the application that is made under CAM/38UD/LSC/2025/0628 and CAM/38UD/LSC/2025/0634.
2. The hearing will be held remotely by video conference and will be listed for up to one hour. Please provide your dates to avoid for the period from 21 July 2025 to 29 August 2025 by **16 July 2025** and confirm that you are able to participate in the hearing by video conference.
3. The case management hearing is used to determine the procedures and timetable to be adopted before the case is heard. The purpose of the case management hearing is as follows:
 - To identify the issues in dispute;
 - To find out whether there is any prospect that the parties can settle any of their disagreements;
 - To decide what further steps need to be taken to enable the case to come to hearing;
 - To set out the ground rules to enable the application to be heard in an efficient manner.
4. After the case management hearing the Tribunal will give Directions setting out the steps to be taken by the parties to deal with the points mentioned above.