



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

Tribunal Case reference : **LON/00BG/LSC/2025/1040**

Property : **60 Lipton Road, London, E1 0LJ**

Applicant : **London Borough of Tower Hamlets**

Respondent : **Sunil Joshi**

Type of application : **Transfer from County Court – Service and Administration Charges**

Tribunal : **Tribunal Judge I Mohabir
Mr K Ridgeway MRICS**

Date of decision : **16 February 2026**

DECISION

Background

1. The Defendant/Respondent is the lessee of 60 Lipton Road, London, E1 0LJ (“the property”) pursuant to a lease dated 12 February 2001 made between the Claimant/Applicant and Sandra June Spelling (“the lease”).
2. The Claimant/Applicant issued proceedings in the County Court on or about 22 April 2025 making a claim for:

Service Charges 2023-25	£5059.82
Administration Charges	£112.50

3. A Defence was filed on 29 April 2025 which is in very general terms.
4. On 15 August 2025 the Court made an order transferring the proceedings to the tribunal.
5. The Tribunal will only determine the issues of the reasonableness and payability of the service charges and administration charges. Once the Tribunal has made its decision, the case will be sent back to the County Court for it to deal with any other remaining matters.

Relevant Law

6. This is set out in the Appendix annexed hereto.

Hearing

7. The hearing in this case took place on 13 February 2026. The Applicant was represented by Mr Mohammed, an in-house Solicitor. The Respondent appeared in person.
8. The documentary evidence before the Tribunal was contained in the hearing bundle comprised of 191 pages.

Decision

Service Charges

9. At the hearing, the Respondent agreed that he was not in fact disputing the service charges demanded by the Applicant for the years 2023 to 2025. He agreed that the outstanding balance as at the date of the hearing is £1,728.64 and that he would pay this amount in full on or before 27 February 2026.
10. By reason of the Respondent’s agreement to pay the outstanding balance for the service charge arrears, the Tribunal was satisfied that it no longer had any jurisdiction to make any determination in relation to this matter by operation of section 27A(4) of the Landlord and Tenant Act 1985, which provides:

“(4) No application under subsection (1) or (3) may be made in respect of a matter which—

(a) has been agreed or admitted by the tenant”.

Administration Charges

11. Mr Mohammed, for the Applicant, explained that the administration charges in the sum of £112.50 were the costs incurred pre-litigation to pursue the Respondent for payment of the service charge arrears.
12. He submitted that the costs were recoverable under clause 4(3) in the lease. It is not necessary for the express term in the lease to be set out because the Tribunal was satisfied that it did give the Applicant a contractual to recover any such costs incurred.
13. However, the Tribunal was also satisfied that because this case was transferred from the County Court, the Applicant (and the Tribunal) was restricted to its pleaded case in the Particulars of Claim. These do not expressly plead clause 4(3) in the lease. This defect was also not remedied in the statement of case prepared by the Applicant in these proceedings.
14. As the Applicant’s case in relation to the administration charges was not correctly pleaded, the Tribunal was satisfied it not could properly determine they are payable by the Respondent, even though the contractual entitlement exists under the lease. It follows, that it was not necessary for the Tribunal to go on to consider whether the administration charges are reasonable.

Costs

15. The Applicant confirmed that it would not be seeking to recover any costs it had incurred in the Tribunal proceedings. The Respondent should note that it falls to the County Court to decide what interest and costs incurred by the Applicant/Claimant in those proceedings are payable by him if they are pursued.

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).